

NORTH DAKOTA

Margaret E. Wirtzfeld to be postmaster at Martin, N. Dak. Office became Presidential July 1, 1937.

Olaf L. Svidal to be postmaster at Starkweather, N. Dak., in place of Michael Coyne. Incumbent's commission expired May 23, 1936.

OHIO

Dora H. McGonagle to be postmaster at Junction City, Ohio, in place of J. F. McGonagle, deceased.

OREGON

Werner Raz to be postmaster at Multnomah, Oreg., in place of T. G. Hawley. Incumbent's commission expired April 12, 1936.

Loris V. Farleigh to be postmaster at Sisters, Oreg. Office became Presidential July 1, 1937.

Eva M. Stewart to be postmaster at Westfir, Oreg., in place of A. E. Gerimonte, resigned.

Mayrue Gregory to be postmaster at Westport, Oreg., in place of William Gregory, deceased.

PENNSYLVANIA

Loy W. Oligher to be postmaster at Clymer, Pa., in place of C. R. Bloom, removed.

Harry E. Reichert to be postmaster at Gilbertsville, Pa. Office became Presidential July 1, 1936.

Arthur D. Gibson to be postmaster at Mayview, Pa. Office became Presidential July 1, 1937.

James M. Gates to be postmaster at South Fork, Pa., in place of Catherine Gates, deceased.

SOUTH CAROLINA

Washington M. Ritter to be postmaster at Cope, S. C. Office became Presidential July 1, 1937.

TENNESSEE

L. Irene Rose to be postmaster at Tazewell, Tenn., in place of J. L. Goin. Incumbent's commission expired December 18, 1933.

TEXAS

Virgil E. Wootton to be postmaster at Hunt, Tex. Office became Presidential July 1, 1937.

Stella Jarrett to be postmaster at Olden, Tex. Office became Presidential July 1, 1937.

Henry E. Dunlavy to be postmaster at Temple, Tex., in place of C. L. Power, deceased.

VERMONT

Edward Patrick Kelley to be postmaster at Danby, Vt., in place of G. C. McIntyre, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 10 (legislative day of November 16), 1937

POSTMASTERS

COLORADO

Ethel E. Burrell, Fraser.

NORTH CAROLINA

Cornelius H. Julian, Franklinville.

August D. Wessell, Hallsboro.

William W. Hampton, Leaksville.

Esther Aycock Davenport, Pantego.

WEST VIRGINIA

Edwin Caperton, Alloy.

William H. Hilborn, Beverly.

Anna S. Been, Camden on Gauley.

Blanche L. O'Dell, Hastings.

George W. Kilmer, Hedgesville.

George L. Carlisle, Hillsboro.

Kerth Nottingham, Marlinton.

Nell Bennett Wolford, Pickens.

George L. Wilcoxon, Tams.

Merle G. Raab, Triadelphia.

Myrtle W. Orndorff, Wardensville.

Thelma P. Forbes, West Liberty.

HOUSE OF REPRESENTATIVES

FRIDAY, DECEMBER 10, 1937

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinite God, our Father, we pray Thee to receive us unto Thyself with fresh gratitude; be Thou unto us the One whom we delight to serve. Let us bring for Thy blessing our joys and sorrows, our failures and hopes, and all the prospects of life. Be with any who may be afflicted or distressed; minister unto them with the morning comfort of Thy love. Bless us, our Heavenly Father, with thoughts so beautiful and so ennobling that even amid the perplexities of daily labor we shall be conscious of the knowledge of satisfaction trembling in our breasts. Open the gates of life to those who endeavor to be faithful to every trust. We pray Thee to lighten the skies of our country with the radiant color of good cheer, and may strife, poverty, and contention dissolve in the glow of brotherhood and cooperation. By all that is sacred in religion, by all that is revered in the thought of Thee, by all that is dear to every American heart may we be eager to go forward. In the name of our Savior. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. IGLESIAS. Mr. Speaker, I ask unanimous consent to extend in the RECORD my own remarks at the last convention of the American Federation of Labor and to include therein a decision of the Supreme Court of the United States, rendered last Monday, which again recognizes Puerto Rico as a Territory of the United States.

The SPEAKER. Is there objection to the request of the Commissioner from Puerto Rico?

There was no objection.

Mr. MEAD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by inserting an address delivered by the Postmaster General before the National Association of Postmasters.

Mr. RICH. Mr. Speaker, reserving the right to object, there are going into the RECORD so many speeches made by this man that I wish to ask if he is the Postmaster General or the Democratic national chairman. Can somebody tell me what his duties are, because he is taking up about half the CONGRESSIONAL RECORD in these speeches?

Mr. MEAD. This is by far the best speech on postal affairs I have ever read, and I would suggest the gentleman read it.

Mr. RICH. If he has made a good speech on postal affairs and has that much interest in them, let us have it in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BREWSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

Mr. SHANNON. Mr. Speaker, I ask unanimous consent that I may extend in the Appendix of the RECORD my own remarks on the subject of peace.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, in order to keep the record straight, may I say that on December 15 our war debtor nations will owe us, as an installment due, \$1,680,170,447. That is a lot of money even in these days.

It may not interest you to hear me harp periodically on this question of war debts, but so long as I am here I propose to remind you that these debts are unpaid so long as they are unpaid. I have read and studied all the alibis, excuses, and justifications and proposed methods of justification, and all that I have read and studied conspires, cooperates, and coerces me to believe that governments are neither good paymasters nor good merchants. They demoralize markets by their clumsy methods.

It has been so many times stated and so often demonstrated as to be almost axiomatic and incontrovertible as a proposition that the gain to a creditor nation equals in money value the loss to the debtor in money value only on the following assumptions, namely:

(a) That ordinary commercial methods are used in making the payments.

(b) That both debtor and creditor countries are firmly fixed on a gold standard.

(c) That the world's markets are reasonably open to the international movement of the goods.

You just try to square that proposition with the existing international situation. It will give you a headache.

CARRIED AS AN ASSET

I do not propose, however, to get into this discussion over my head. I admit I would not have to go very far to do that; neither do I assume to know or to assert anything more or further than the fact that the debts are not paid; that they are carried as an asset; and that there seems to be little, if any, prospect that they ever will be voluntarily paid. If I am wrong, someone please correct me.

It is a serious commentary on the existing state of affairs, the carrying of these debts as an asset; this holding out to the people the thought that there is a billion and a half or more owed them, which is in fact a tangible or an intangible asset. I do not know how many of you noticed it, but the papers of November 18 carried the following statement:

UNITED STATES PREPARES TO DUN 13 WAR DEBTOR NATIONS—EXPECTATION IS, HOWEVER, THAT ONLY FINLAND WILL HONOR ITS OBLIGATIONS DECEMBER 15

The United States prepared new bills today for 13 war debtor nations to remind them that they will owe \$1,680,170,447 on December 15.

There appeared little prospect, however, any country besides Finland will make a payment. The sum represents a semiannual installment totaling \$160,173,726, plus payments already in arrears of \$1,519,996,720.

Here we are at a time in our history when, if ever, we needed money we need it now. Here are people who owe us a billion dollars and more who do not have the slightest intention of paying it, so far as I can learn.

WE LOANED THEM THE MONEY

We dug deep in our pockets to loan them the money, and we will have to dig deep in our pockets again to make up that same amount of money, or I miss my guess. Our taxes are bound to be increased unless these debts are paid, despite the reluctance of the taxpayers to assume any more or greater burdens, and notwithstanding all of the anesthetic Budget-balancing promises. I tell you if this Budget is ever balanced it is the taxpayers who will balance it. They will have to stand on their heads and rattle out every cent in their pockets or they will be strangled to death while their last dollar is pilfered, as someone sings a song of the "more abundant life," in an attempt to anaesthetize them during the operation.

For years these debts have violently disturbed trade and credit, both at home and abroad. They were one of the major causes of the depression, commencing in 1929—if that is when it commenced—and the unsettled state with respect to them has only aided, abetted, and assisted the perpetuation of the situation; and now contributes, still as a major factor, to the uncertainty, instability, and trepidation of the

body politic as we see ourselves threatened to be pushed over a cliff and possibly into a deeper valley of despair than that into which we fell in 1929. The uncertainty regarding the whole matter, the cloud of indefiniteness which surrounds the matter, the delay in adjustment—all of these contribute to our very serious governmental and individual financial damage.

Theoretically, I am opposed to the cancellation of any of these debts. Theoretically, I am in favor of collecting them. I would do anything and everything, except go to war, to force these debtor nations to pay us the money they owe us. Patience has ceased to be a virtue; and, for one, as an American citizen, I resent having our country and our people made the laughingstock of the world. This nonpayment of the debts has come to be a joke with these debtors of ours. I told you before, and I tell you again, when payment of the debts due the United States are suggested in the parliaments of our debtor nations those who have the trepidation to make such suggestions are hooted and hissed and very plainly told that everybody knows that is a joke.

On the other hand, if they will not pay them as they stand, then I am inclined to think that I would make it an object for them to pay them on some basis or other, humiliating as that might be, for half a loaf would be better than no bread at all just now. For cash or good paper, I would be inclined to discount them down to a figure which the debtor countries could pay and would pay, in dollars and cents or their equivalent, on a basis of their ability to pay; then I would call it a day, even though a bad one. Settle this debt business, and now.

These debtor nations of ours heretofore have bought of us what they wanted and have been forced to pay cash. The truth is, I fear, that they have so long deferred their debt payment, and that which is our due, that they hope we have forgotten, or will, or that we will forgive them. They might just as well be disillusioned, for we have not forgotten and we have not forgiven. "If I owe Smith \$10, and God forgives me, that does not pay Smith," is just as true today as when Robert G. Ingersoll said it.

TRADE TREATIES

If the proposed "treaty" with Great Britain contemplates as a condition precedent to its completed negotiation the payment of England's debt to us in full within a reasonable time, or if the matter of inducement for the consummation of the contract is the payment of their debt, I could look at the situation with considerably more equanimity than I do now. As it stands, I am disposed to say, "Good for Senator J. HAMILTON LEWIS, of Illinois." When his attention was called to the proposed negotiation of a reciprocal-trade treaty with Great Britain, he said, "Such a treaty with Great Britain should be held up until Great Britain pays its war debts to the United States."

Quoting him, he said:

I am protesting against the closing of any trade treaty with any of the nations who, being in debt to us, fails to return our money, but would cheat us of our honor before the world by aspersing us as robbers in our efforts to collect.

A "TOKEN" PAYMENT

It is quite a coincidence that since that speech was made the papers have carried the story that England was contemplating making a "token payment." Now, my notion is that this is American-inspired propaganda, raised to the nth power for purely political purposes at this time.

THE JOHNSON ACT

Either that, or could it be possible that England thinks that such a token payment as she is alleged to contemplate, if and when made, would relieve her from the prohibitions and restrictions contained in the Johnson Act with respect to selling securities or borrowing money directly or indirectly in these United States? I wonder.

PROPAGANDA

And speaking about propaganda, may I ask if you have read that book by Quincy Howe entitled "England Expects Every American To Do His Duty," in which he shows, as has

been said, how the same influences that brought the United States to the rescue of the British Empire in 1917 are pushing this country in the same direction in 1937?

The title defines the line of attack. Recent writers have recalled the part played by British propaganda in the United States between 1914 and 1917, and Mr. Howe shows the same propaganda working more effectively than ever today. He names names, both British and American, in a British network, manipulated by a few key people in London, Washington, and New York.

As Britain's position throughout the world grows weaker, its dependence upon the United States increases. And this means more pressure, more propaganda, operating at full blast in a thousand directions as the zero hour draws nearer. The stage seems set for history to repeat itself. Or, so says the reviewer, "I know not what the truth may be; I tell the tale as it was told to me."

NO TOKEN PAYMENTS

In this matter of international debts, politics should stop at the water's edge, of course. Let us get and give a receipt in full of some kind or other—no token payments—and get this matter out of our system. Apparently it could be done notwithstanding all of the alleged complications and impossibilities supposed to be surrounding such negotiations. There is only one way for them to pay their debts and that is to pay them as and when they agreed to do. They should either "fish or cut bait."

Incidentally, may I inquire if it is not true that there is a certain provision in an old document known as the Constitution of the United States which limits the right of the Chief Executive and at the same time imposes a responsibility on the Senate when it says:

The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

TRADE AGREEMENTS ARE TREATIES

It never has been made clear, to me anyway, by what real authority the Secretary of State negotiates these treaties with foreign governments. Trade agreements, you say they are? Well, they are treaties nevertheless, made between nations, and you cannot get away from it. Moreover, the Senate cannot avoid the responsibility by undertaking to divest itself of its prerogatives, or by unconstitutionally delegating its exclusive authority of ratification under the Constitution even by an act of Congress.

There are many people in these United States who believe, as I do, that these trade treaties are not worth the paper on which they are written. There are a lot of good reasons in law, fact, and logic supporting this contention, and better men than Gunga Din to affirm the legality of this proposition.

You may be surprised to hear me say it, but I have no argument with those who contend that the Honorable Cordell Hull is a most able and efficient Secretary of State. I believe it to be the fact. I hold him in very high esteem. Moreover, any man who can take away from the United States Senate its treaty making or confirming powers and prerogatives is able.

I might say, as did somebody else long ago, that "I pride myself in recognizing and upholding ability in every party and wherever I meet it."

TRADE AGREEMENTS ARE NOT RECIPROCAL

All this talk about the Republican Party being opposed to reciprocity is propaganda or a red herring. Reciprocity is a Republican principle. Reciprocity, I say, and that is just the reason why I, as one Republican, am opposed to these trade agreements. They are not reciprocal. The one with Canada was deliberately drawn in such a way as to do the people of my State, and I think of all New England, definite dollar damage, and it has been accomplished.

Our protests availed us nothing. We were outsmarted and outraded. I will vote for a reciprocal treaty, or would if I could have a chance, but I will not approve the negotiation of any new trade agreement or the continuance of any existing

agreements which put Canadian products free of duty over the border, in direct competition with those raised and manufactured by the people of my State, at such price that they cannot compete and live. It is carrying the "good neighbor" policy altogether too far to ask one to approve an agreement which directly and deliberately robs his people of their property, at the same time placing them on the relief rolls through no fault of their own.

THIS IS NOT RECIPROCITY

There is no reciprocity in such a program. There is no reciprocity in any program which makes the American people the goat any time or any place.

A VERMONT YANKEE KNOWS A "BLIND SWAP"

Every Vermont farmer can form his own opinion as to the real reciprocity found in the trade treaties by observing the list I am about to include which shows only a few of the competitive agricultural products brought into this country during the last fiscal year. Here it is:

420,000 head of live cattle.
150,000,000 pounds of meats, which included 62,000,000 pounds of pork and 85,000,000 pounds of beef.
15,000,000 pounds of butter.
66,000,000 pounds of cheese.
10,500,000 pounds of dried and frozen eggs.
181,000,000 pounds of wool.
17,000,000 pounds of barley.
78,000,000 bushels of corn.
48,000,000 bushels of wheat (12,000,000 milled in bond for export).
190,858,000 pounds of rice and rice products.
73,822,000 pounds of tobacco, unmanufactured.
434,000,000 pounds of barley malt.
312,000,000 gallons of molasses, used in manufacture of alcohol.
19,000,000 gallons edible molasses.
6,600,000,000 pounds of sugar (3,300,000 short tons).
14,000,000 pounds of potato starch.
319,000,000 pounds of coconut oil (used in manufacturing butter substitutes).
519,634,000 pounds of copra (from which coconut oil is extracted).
360,000,000 pounds of palm oil (used in manufacture of soap).
64,000,000 pounds of palm nuts and palm nut kernels.
201,000,000 pounds of cottonseed oil (butter and lard substitutes).
147,000,000 pounds of tung oil (used in the manufacture of paints).
119,000,000 pounds of soybeans and soybean oil.
45,000,000 pounds of peanut oil.
48,000,000 pounds of forage crop seeds.
41,000,000 pounds of garden and field seeds.
551,000,000 pounds of vegetables of the common garden variety, including 59,000,000 pounds of dried beans, the latter accounting in large degree for the present low price of American beans.

The foregoing figures are selected from a bulletin entitled "Forage Crops and Markets" issued weekly by the Bureau of Agricultural Economics of the United States Department of Agriculture, which also shows the facts to be that the competitive imports exceeded the agricultural exports, the value of American farm exports declining by 4 percent and "the value of imports of commodities similar to or substituted for those produced on American farms rose by 35 percent over the fiscal year of 1935-36.

This just does not make sense from the "reciprocal" standpoint. It obviously is prejudicial to the interests and welfare of the American farmer, laborer, and everybody else, for "the farmer feeds them all."

As Representative CARLSON, of Kansas, told you the other day:

When Congress delegated its authority to the President to negotiate, through the Secretary of State, reciprocal-trade agreements, we gave him practically unlimited authority; and under the most-favored-nation clause there is placed in operation a principle which works to the great disadvantage of the United States in the reciprocal-trade agreements. Under this provision, which is included in all of the trade agreements, all of the nations of the world, except Germany and Australia, receive the benefit of the same tariff reductions as are made to any one country.

As he said:

The farmers of the United States are not asking for embargoes or prohibitive duties, but they do believe that the American farmer is entitled to the American market. In fact, they believe they are entitled to the same assistance that is being given industry, finance, or labor. The farmers of America are interested in securing every dollar's worth of foreign trade possible, but at the same

time they believe that the American market is the greatest market for their products. Our agricultural imports have reached staggering figures and our exports have diminished to a most alarming extent.

We all know that he stated the situation fairly when he called attention to the fact that—

In the reciprocal-trade agreements with Canada the United States made extensive reductions on agricultural products. All of the other nations in the world, except the two mentioned, received the advantage of these same reductions, although they make no reductions whatever in articles going from this country to the several nations.

The tariff on Canadian cattle coming into the United States weighing more than 700 pounds was reduced from 3 cents to 2 cents a pound. The tariff on dairy cattle coming into this country from Canada was reduced from 3 cents to 1½ cents a pound with quota restrictions. The tariff on calves weighing less than 175 pounds was reduced from 2½ cents a pound to 1½ cents a pound. These reductions, in accordance with the most-favored-nation clause, apply not only to Canada but to all the other countries of the world except Germany and Australia.

Canada made some concessions in tariffs to the United States in the trade agreements, mostly on automobiles and machinery, but the other nations of the world receiving the benefits of our reductions made no concessions to this country at all. In my opinion, this is not reciprocity. The theory of reciprocity is that we reduce the tariff on certain articles produced in a foreign country coming into the United States which are not produced to any great extent in this country and the other countries reduce the tariff on their articles bought in the United States and going to foreign countries.

He gave you some interesting figures with reference to the importation of cattle and hogs. He showed that—

Importation of cattle for the first 9 months of 1937 was valued at \$14,647,000. This is more than the entire importation for the year 1936, during which year we imported 399,113 head of cattle, valued at \$10,708,230. During the first 9 months of this year we imported 437,941 head, valued at the figure previously given. In 1933 this country imported 65,000 head of cattle, valued at \$572,000. Our exports of cattle are too small for serious consideration. In 1933 we exported 2,912 head, valued at \$192,000. These cattle were largely for breeding purposes.

In the first 9 months of 1937 we exported 2,943 head of cattle, valued at \$336,512, as compared to the imports of \$14,647,244 in 1937.

Imports of live hogs go from 29,000 in 1932 to 17,446,457 pounds in 1936 and to 15,763,411 pounds in the first 9 months of 1937. The value of live-hog imports in 1932 was \$2,000, and for the year 1936 the value of live hogs imported was \$1,453,841, and for the first 9 months of 1937 the importation of live hogs was \$1,463,097. Using an average weight of 200 pounds per head, it would mean that we imported 87,232 head of hogs in 1936, and should they average 60 head to a carload, it would mean 1,454 carloads, or 200 trainloads of 70 cars each. Using the same basis for the first 9 months of 1937, we have imported 1,314 carloads of hogs.

With recent serious declines in hog prices, the farmers are seriously wondering if this large importation of hogs has not had a detrimental effect on local prices.

Perhaps and probably you think that nothing will come of all this talk respecting payment of the war debts, but let me tell you that if and when the time comes that the American people realize they are "holding the bag," when they have been bled white to pay taxes because debtor nations do not pay their debts, when, I say, the people of America get it into their heads that it is their money that is not being repaid to them, as individuals, then there will come along a President who, either because he has the intestinal fortitude of investiture, or because he is driven to it by public sentiment, will draw a sight draft on our debtors, as President Jackson did on France, and the American people will stand by to enforce the demand.

A most interesting, enlightening, and educative colloquy with respect to the situation took place in the Senate the other day. I think it is worth all it costs directly to call it to your attention.

Senator LEWIS was speaking when the following discussion took place:

Mr. BORAH. Mr. President—

Mr. LEWIS. Does my friend the Senator from Idaho wish to interrupt me? If so, I yield to him.

Mr. BORAH. The Senator refers to a probable treaty with Great Britain. I presume he is using the word "treaty" as synonymous with the term "trade agreement."

Mr. LEWIS. I am, sir; and I catch the point of view of my able friend. I think he and I have had some previous opportunity to exchange thoughts on the subject, and to agree that if it is in

the form of a treaty, and distinctly a treaty, it should come before the Senate for ratification. If it is a mere matter of trade arrangement, it is assumed that the power and privilege have been granted the President, who will never abuse it. On these questions, I am at great variance with some of my colleagues, and later I may further harass the Senate with a discussion in detail as to our right to pass on treaties.

Mr. TYDINGS. Mr. President—

Mr. LEWIS. I yield to the Senator from Maryland.

Mr. TYDINGS. I think the Senator from Illinois will agree that if we were so fortunate as to collect the debt in its entirety we would be morally obligated to apply it, once it had been collected, to the liquidation of the existing debt of the United States, because the money that is owed to us was largely borrowed money which we, in turn, extended to our creditors in the form of credit. Therefore, were it to come back to us we would have to take the amount paid and apply it to the national debt as a matter of correct approach. In that event, the money would not be available to finance the farm program or current expenses; it ought to be applied to the reduction of the national debt.

Mr. LEWIS. I say then, sir, that if the money shall be paid by the debtors—and I hope it will be in such amount as will give to the word "token" great dignity and some degree of elevation and pride—that sum, sir, will go into the Treasury; the Treasury will have the right to apply it to such immediate needs as may be required; and, I take it, it would be most appropriate to utilize it in carrying out the provisions of the farm program under the pending bill. I see no reason why that should not be done.

Mr. NORRIS. Mr. President—

Mr. LEWIS. I yield to the Senator from Nebraska.

Mr. NORRIS. Regardless of what we would do with the money if we got it, there would probably be ample time for us to decide that question later on, for we have not received it up to date. [Laughter.]

Mr. LEWIS. Mr. President, I will ask the able Senator from Nebraska and my friend, of course, from Maryland, to note that if there could be returned to us what we have lately given in the way of other advances we would have rather a complete debt service of equality. The Department of Commerce sends us an estimate showing that the dividends paid during 1936 on foreign holdings of American stock amounted to \$130,000,000, compared with \$83,000,000 in 1935; that interest payments on American bonds held abroad were little changed from the preceding year, amounting to \$22,000,000, while the income of foreigners from long-term investments totaled \$30,000,000, against \$25,000,000 in the previous year. So my eminent friend will see that our debtor nations are receiving very generous treatment from us. We equalize with favorable payments that which could pay us in return our interest due on the debt.

Mr. President, I come to the final point which I feel is greatly to be considered at this time as meeting the only offset that is tendered by our friends the debtors.

Mr. McKELLAR. Mr. President, before the Senator proceeds to that point, will he yield to me?

Mr. LEWIS. I yield to the Senator from Tennessee.

Mr. McKELLAR. The Senator from Illinois does not apprehend that in making a trade agreement any department would undertake to deal with the debt question, does he? The debt question is a matter of treaty, which this body would have to consider, as I understand.

Mr. LEWIS. The Senator raises the point that once before having been alluded to is sound and well stated. But since our honorable debtors have given notice to the world that these treaties are being made concerning trade, and in conjunction with, as I would gather, or compensation for a payment they are to make on the debts or some adjustment or recommendation looking to such, I answer the Senator that seems to be the point of their contention, and the basis only upon which they offer something touching these debts in the form of payment. We know that our officials of State or Commerce will not trade the rights of the United States to any debtor.

I say to my able friends about me that lately in Europe I was in a position to hear repeated again that which has been brought to you—that France, most artful in design, asks why should she pay; that this country owes her money extending from the days of the Revolution, when Franklin, our sponsor, and his fellow commissioner entered her country. It is said by France that the Colonies obtained a loan that went to our country. This was in the days of the Revolution. That this loan remains unpaid. England responds that States called the Southern States and certain others issued bonds at a critical time, and those bonds were circulated in the world and largely bought and are now held by the residents and citizens of England; that these are now held unpaid. I, therefore, tender to our honorable Department of State, as well as to the countries in question, a proposition. I suggest now, in view of this being the only answer these large debtors make for the purpose of an offset and some excuse for never considering our debt, that France figure the full amount of the principal of the debt she claims this country owes her out of that which came forth to us from her in the days of the Revolution. That England then figure the full amount of the principal of the debt that is claimed to be owing her by certain States. Then, sir, that England shall take the figure of her whole debt, and France take her whole debt, and use them as immediate offsets against the billions of dollars each owes us. Then, having

paid themselves by this system, return the surplus and the remainder at once in cash to the Treasury of the United States. In this manner we have paid their debts which they claim exist, and we have no altercation with them; we have entered into no parley with them, nor play with spiritual remark of professed honor superior to others, either seeking to repudiate what is right or seeking to hold back by some form of retrading a balance on the theory of a new arrangement.

We tender them the opportunity; we ask them to state the obligation which they say is owed to them and which we are willing to accept, and then pay the remainder to the Treasury so that we may use it under the agricultural bill that is now pending, and meet the proposition the able Senator from Maryland suggests, on the one hand, and that suggested by the Senator from Nebraska on the other. Then, sirs, let this be done before any trade treaty is consummated.

Mr. BORAH. Mr. President—

Mr. LEWIS. I yield to the Senator from Idaho.

Mr. BORAH. The able Senator from Illinois does not concede does he, that there was any part of our debt to France incurred during the American Revolution that was not paid by the United States?

Mr. LEWIS. I insist that we have proved time and time again that we have discharged that debt, and I now assume, I may say to my able friend from Idaho, that when they say there is some debt that they mean to say that there is due them a balance, from their point of view and their calculations, apart from that which the able Senator from Idaho and others around me know, by the history of our country, has been paid and discharged.

Mr. CLARK. Mr. President—

Mr. LEWIS. I yield to the Senator from Missouri.

Mr. CLARK. I ask the Senator from Illinois if it is not a fact that all the accounts between France and the United States were balanced during President Jackson's administration, when it was necessary for President Jackson to draw a sight draft for the balance, an act which almost caused war between the United States and France, France then, as now, taking it as an affront to her dignity to discuss a debt owing by her to another nation?

Mr. LEWIS. The Senator from Missouri having as author left with us, as a matter of splendid contribution, a couple of his books that cover subjects generally touching these matters, I have to say that it is claimed that President Jackson, under threat, had extorted from them at the time a form of obligation and put them in a position where they were as one met on the road by a robber and by that robber deprived of all they possessed.

Mr. CLARK. Would it not be a very fine thing to study the form by which President Jackson collected those debts and put it into effect once more?

Mr. LEWIS. Not only that, but I should like to impress on some of our debtors that the spirit of America still exists where such action can be taken and can be enforced.

Mr. President, having set forth these views, I desire to say that I do not adopt the theory that is assumed—the Senator from Idaho [Mr. BORAH] intimates he opposes it—that a trade agreement can be entered upon by honorable officials, the Secretary of State or the President, where it takes the form of a treaty. I am not able to understand from anything we have done that there ever was an intention on the part of this honorable body to abdicate the duty on the one hand or its constitutional prerogative on the other hand to ratify treaties, and become a party to this contract before it can be executed or enforced. I therefore say if there is pending a suggestion of a treaty with those debtors by which they are to obtain these advantages from the United States which they have enjoyed so long and which they have asked to have repeated to the point where they will greatly profit, before that shall be concluded I respectfully insist that the matter of the debt be taken up and in some form disposed of, and that our Government and our capable Secretary of State, whose patriotism is ever a tribute of praise, evince before the country that before the debtors shall have the advantage accorded them that is accorded other nations which have paid their debts and treated us fairly and with fairness, we insist upon an obligation to us now either to be paid or adjusted finally and the subject disposed of. I tender that suggestion that the matter shall no longer remain as something unsettled which can continue to disturb us and distress our relations of international friendships—

They tell me that Dorothy Thompson said recently that the proposed trade agreement with the British Commonwealth, if and when it becomes effective, "will enormously aid the cause of democratic government in the world." This is a consummation devoutly to be desired. I hope she may be right. It does occur to me, however, to ask if you do not think the prospects of its potential and possible efficacy would not be enhanced if we had some assurance that the British Commonwealth would keep its part of the contract, if and when entered into? If the future may be judged from the past, and somebody said it, the past was the only light to guide one's feet in the future—the British performance of its contract to pay its debt to us is not too comforting, and, as a matter of inducement for our entering into another

contract, it is not too "enthusiasm rousing" as to be noticeable, is it?

We have a right to assume, judging the future by the past, do we not, that England will only keep any contract she makes with us, to the extent, and so far only as in her judgment will be to her advantage. If that is an unfair statement someone please set me right.

However, what I started to say was, that the next installment of war debt payments by our international debtors is due December 15 next. When I say "next" I mean the next due date has arrived. I do not mean to suggest it is the "next" payment, for, aside from Finland, the word "next" applied to any payment made or to be made is absolutely incorrect. That is that, and that is so, and it is true. One question: What are we going to do about the \$1,519,996,720 they will owe us? The other, still unanswered, was asked by Calvin Coolidge, "They hired the money, didn't they?" [Applause.]

(Mr. PLUMLEY asked and was given permission to revise and extend his remarks in the RECORD.)

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the agricultural art exhibit.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. ANDERSON of Missouri asked and was given permission to extend his own remarks in the RECORD.

THE FARM BILL

Mr. JONES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8505) to provide for the conservation of national soil resources and to provide an adequate and balanced flow of agricultural commodities in interstate and foreign commerce.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8505, with Mr. WARREN in the chair.

Mr. FLANNAGAN. Mr. Chairman, I ask unanimous consent to turn back to section 307 of the tobacco provision so I may offer a perfecting amendment, and for no other purpose.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. FLANNAGAN: Strike out, beginning in line 22 of page 25, down through line 8, on page 26, and insert in lieu thereof the following as a new subsection:

"Sec. 307 (a). The marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco was produced shall be subject to a penalty of 50 percent of the market price of the tobacco on the date of such marketing or if the following rates are higher, 3 cents per pound in the case of flue-cured, Maryland, or burley, and 2 cents per pound in the case of all other kinds of tobacco. Such penalty shall be paid by the person who acquires such tobacco from the producer but an amount equivalent to the penalty shall be deducted by the buyer from the price paid to the producer in case such tobacco is marketed by sale; or, if the tobacco is marketed by the producer through a warehouseman or other agent, such penalty shall be paid by such warehouseman or agent who shall deduct an amount equivalent to the penalty from the price paid to the producer: *Provided*, That in case any tobacco is marketed directly to any person outside the United States the penalty shall be paid and remitted by the producer. All penalties shall be remitted to the Secretary and shall accrue to the United States."

The amendment was agreed to.

The CHAIRMAN. When the Committee rose yesterday, section 402 was still under consideration.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move to strike out the last three words and ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Chairman, for nearly 2 weeks the House has been considering this bill for the aid of agriculture, and we are now about to reach a vote upon its passage.

Throughout my service here, I have never known a bill to be given more careful and considerate attention, and the marked interest of the Members has been manifested by their constant attendance upon the floor during its entire consideration.

That the plight of agriculture is recognized by Congress as one of national and not sectional importance is demonstrated by the interest of the Members, both from the rural and urban sections of the Nation.

The district which I have the honor to represent is one of the richest agricultural sections in the Nation and stands among the top in the production of cotton. I am, therefore, fully aware of the state in which the cotton farmers are at this time, and am intensely interested in legislation that will tend to increase and stabilize the price of cotton.

While other agricultural sections doubtless need assistance, which this bill is designed to give, their condition is not comparable to that of the cotton producers. We have made one of the largest cotton crops in history, but the grossly inadequate price at which the farmers have been forced to sell has left the Southland, which is dependent upon cotton, in a most deplorable state.

Various reasons have been assigned for the cause of the business recession through which the country has been passing for the past several months, but in my judgment one of the fundamental causes has been the decline in the prices of agricultural products, which has impaired the buying power of the people, and President Roosevelt recognized this to be true when he called this special session of Congress for the purpose of passing legislation to aid in the restoration of farm prices.

We are fortunate in having as chairman of the Committee on Agriculture my colleague from Texas [Mr. JONES], who is recognized as one of the best-informed men in the Nation upon the subject of agricultural economics and problems relating to agriculture. He and his able committee spent weeks in the preparation of this bill before it was presented to the House. The problem with which they have had to deal is recognized as complex and most difficult to solve, and the discussion that has taken place on this floor in the consideration of the bill has demonstrated that it is easier to criticize than it is to construct a bill of this character.

There are so many divergent views as to the best method of approach and so many conflicting interests to be considered that it is humanly impossible to write a bill that will suit everyone. I doubt whether the bill in its entirety is satisfactory to anyone.

All legislation is more or less a matter of compromise, and the committee has apparently sought to take a middle course between the extreme views of the advocates of the various plans advanced.

No one can foretell what the effect of this bill will be. Several of its features are objectionable to me, and I entertain doubt as to whether it will accomplish the purpose for which it is intended. The Senate is considering a different farm bill, which they will doubtless pass within the next few days, and the bill in its final form will be worked out in a conference between the two Houses.

Believing that a necessity exists for legislation to aid the distressed condition of agriculture, I shall vote for this bill in the hope that the conferees of the two Houses may work out a bill that will materially aid in the restoration of agricultural prices.

My limited time will not permit me to discuss the bill or refer to its various features, but there are two matters to which I especially direct your attention: First, section 402, which has just been read, relating to new uses and new markets for farm commodities. This is a feature of the bill

that should meet with the approval of everyone, and is, in my judgment, a very important provision of the bill. It authorizes an appropriation of \$10,000,000 for each fiscal year for the establishment, equipment, maintenance, and administrative expenses of laboratories and other research facilities for the research into and development of new, scientific, chemical, and technical uses and new and extended markets and outlets for farm commodities and products thereof. Allotments to States for this purpose are available where the State appropriates not less than \$250,000 for the establishment of physical facilities suitable for use in establishing such laboratories.

I was glad to hear the chairman of the Agricultural Committee [Mr. JONES] yesterday state that it was expected that a liberal amount of this sum would be used in the establishment of laboratories for the new uses of cotton. Of all the agricultural commodities, cotton is doubtless more susceptible to various uses than that of any other agricultural commodity. If new uses for cotton can be found in such laboratories, it will aid materially in the consumption of cotton, and thereby contribute in a measure to the solution of our problem.

The people of Texas are thoroughly aroused to the need and necessity of such a laboratory, and the Legislature of Texas, during the present year, passed a bill appropriating \$250,000 to induce the Federal Government to establish a cotton laboratory in our State, but it was vetoed by the Governor because the legislature failed to provide funds to make such sum available. When this bill becomes a law it is my hope that Texas, which produces about one-third of the cotton of the Nation, will be the first State to avail itself of this provision.

When we go into the House for the final passage of this bill, there will doubtless be votes upon several different amendments. I hope there may be a separate vote upon the Ford amendment. While I have a very high regard for its author, the Ford amendment should be defeated. It has nothing to do with the allotment to the farms, and I am glad that the bill has a different base acreage allotment to the individual farms than we have had in the past. The old base acreage allotment to the individual farms was in many instances inequitable and unjust, and a new base acreage allotment to the farms is prescribed, which is preferable, and, in my judgment, fairer to the individual farmers, and will prevent discriminations and injustices that have been practiced in some instances in the past.

The Ford amendment, however, which seeks to change that portion of the bill with reference to the acreage allotment to the counties, is manifestly unfair and unjust, in that it deprives the cotton-producing counties from a just allotment of the acreage to which they are entitled. It will confer upon counties that have never produced cotton, acreage quotas in excess of the amount to which they are entitled, and counties which are not prepared to produce cotton, but which have been making other crops, will have cotton acreage allotment which they do not need. The counties in my district have all been producing cotton continuously before and since the Civil War, and are well adapted to the growth and production of cotton, and the Ford amendment would radically and unjustly reduce the acreage allotment which they have under existing law, and give the acreage allotment taken from them to other counties that have not grown cotton, and which counties are not as well suited to the production of cotton.

The Ford amendment is also unfair in that it adopts an entirely different method in the allotment to the counties than in the allotment to the States. If the method of acreage allotment to the States is fair, and that is not challenged, then the same method should be used in the allotment to the counties.

In other words, the allotment to the States is based upon cotton production by the States in the past, and the allotment to the counties should be by the same method. If it is fair for the States to have such an allotment, then it is equally fair to the counties.

Mr. FULMER. Mr. Chairman, will the gentleman yield?
Mr. LUTHER A. JOHNSON. I yield.

Mr. FULMER. I just want to state to my colleague that that is exactly what we do under the bill, and where you have a cotton county which, because of the type of its soil, has been producing cotton all the while, that will be taken into consideration just like all the cotton States with respect to the national acreage, and will be dealt with according to the history of that county.

Mr. LUTHER A. JOHNSON. Yes. The Ford amendment relates to section 2, with reference to the payment of benefits under the soil conservation program, and was adopted early in the consideration of the bill, and I am convinced that the House did not understand the effect of the amendment, or they would not have adopted it.

Later in the bill, when we were considering the farm-marketing quotas, a similar amendment with reference to county allotments was offered by the gentleman from Mississippi [Mr. Ford] and the matter was more thoroughly discussed and better understood by the House, and the House rejected the Ford amendment, as applied to marketing quotas.

Since the House has rejected the Ford amendment as applied to marketing quotas, it would be manifestly unfair to have one provision with reference to county allotments under the farm-marketing quotas, and have another with reference to county allotments as to the payments of benefits under the soil-conservation program, and in order to make the terms of the bill harmonious, the Ford amendment should be eliminated.

Recapitulating, the Ford amendment should be defeated for three reasons: First, because it is an unjust discrimination against the cotton-producing counties; second, it prescribes a different method in the allotment to the counties than that prescribed by the bill with reference to the allotments to the States; and third, it is out of harmony with other provisions of the bill in prescribing one method for county allotments with reference to farm benefits, and an entirely different method of allotment to the counties under the marketing-quota provision and I therefore earnestly hope that it may be defeated by the House. [Applause.]

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 82, beginning at line 14, after the word "subdivision", strike out the words "has hereafter appropriated not less than \$250,000 for the establishment of" and insert in lieu thereof the following: "agrees to furnish."

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 7 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

COOPERATION WITH THE STATES

Mr. CASE of South Dakota. Mr. Chairman, this particular section of the bill is one that everybody praises, and rightly so, I think. The appropriation of \$10,000,000 for research and the development of new markets is important and the committee is to be commended for including it, but I doubt if the Members of the House really appreciate what is meant by the last proviso in the bill. The provision states:

No part of the sums available under this subsection shall be expended in any State or Territory in cooperation with any such State or Territory or its agencies or subdivisions unless the State, Territory, agency, or subdivision has hereafter appropriated not less than \$250,000 for the establishment of physical facilities suitable for use in carrying out this subsection.

That means delay, at best. It means that this section, providing \$10,000,000 for research, will not be available; there will not be anything done with it in your State or mine until after the legislature has met and found a quarter of a million dollars to provide new physical facilities suitable for use in carrying it out.

It means more than that. It means duplication. The gentleman from New York yesterday paid tribute to the general provision and said that the land-grant colleges no doubt already have facilities for cooperating. That is true. In many States the land-grant colleges do have the facilities for carrying on some of this research in a cooperative way, but they cannot use them under the terms of the bill until "hereafter" they appropriate another quarter of a million dollars for physical facilities, even though that means duplication of what they already have. That is what that provision means.

This provision means more than that. It means denial of this help to the very States that may need it most. It means that the States that do not have a new quarter of a million dollars which they can go out and get will not receive this help in finding and developing new markets. Yet they may have the greatest need for new uses and new markets for their farm products.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. Yes.

Mr. COLMER. I am quite interested in the gentleman's discussion of that provision of the bill, because I introduced a bill providing for such a provision. Also, the junior Senator from my State introduced such a bill. I am just wondering if the gentleman understands correctly that provision with reference to the \$250,000 contribution. I think if he will investigate, he will find that the President of the United States himself suggested that before one of these laboratories could be located in any particular State, there should be some contribution by that State. I do not understand this to mean that the laboratory research work cannot go on unless a State puts up \$250,000.

Mr. CASE of South Dakota. The language of the bill reads:

No part of the sums available under this subsection shall be expended in any State or Territory in cooperation with any such State or Territory or its agencies or subdivisions unless the State, Territory, agency, or subdivision has hereafter appropriated not less than \$250,000 for the establishment of physical facilities suitable for use in carrying out this subsection.

So a State will not get any part of it even though it has laboratories now, unless it hereafter appropriates \$250,000. My amendment merely provides:

No part of the sum shall be expended in any State or Territory in cooperation unless the State, Territory, or subdivision agrees to furnish physical facilities suitable for use in carrying out this subsection.

That provides for cooperation. The Secretary will require some cooperation, no doubt, before he goes into a State. But instead of putting into the statute a hard and fast provision that nothing can be done in any State unless it finds this quarter of a million dollars, let the Secretary cooperate if the State agrees to furnish suitable physical facilities. Do not close the door to the States that do not have a quarter of a million dollars for new and possibly duplicate facilities. [Applause.]

Mr. JONES. Mr. Chairman, I hope this amendment will not be adopted because we have in the existing research law passed about 18 months ago provision for regional research, and research within the States; this law combines the two functions, Federal and State. An increasing amount is annually appropriated for that purpose. This enables small laboratories to be operated by the State and also regional ones by the Department. That has no limitation upon it at all. This section provides for major research, and I had hoped, and the committee had hoped, that this might be confined to larger laboratories that would work on a regional basis, which would be helpful to the entire region. It was felt that if a State had the privilege of having one of these major research laboratories located within its borders, it certainly should be willing to put up as much as \$250,000, so as to have an interest in it itself.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. MAY. I suggest it would be better to have one research laboratory, because that one laboratory would ascertain everything that a dozen other laboratories would.

Mr. JONES. I do not think so. You need to be near the place of production of the commodities, so that the officials will have the facilities for working on the particular commodity.

The CHAIRMAN. The time of the gentleman from Texas has expired. All time has expired. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 32, noes 59.

So the amendment was rejected.

Mr. FULMER. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. FULMER: Beginning on page 81, line 24, strike out all of section 402.

Mr. FULMER. Mr. Chairman, I am so deeply interested in this line of work that I regret exceedingly to make the motion to strike this section from the bill. I call the attention of Members of the House to the fact that annually we are expending millions of dollars for research work, and it reminds me of a ride on a merry-go-round. Annually they get on and go round and round, and then get off where they started. We ought to have millions put into research work. That is one of the main things that we could do to help the agricultural interests in this country. I want it understood that I am talking about this line of work as applied to cotton.

But we ought to write a definite bill, stating to the Department of Agriculture just what they should do and when and where it should be done, so that we could get somewhere and stop the wasting of millions of dollars and not accomplishing anything. What had been done in the way of new uses for cotton?

Some years ago we appropriated certain amounts for improvements in ginning cotton—and God knows we need improvements. The Department placed a plant down in Mississippi, but the ginning of cotton is still on the old basis, and about all we have gotten out of it is a booklet annually. Annually we get a book that they have spent their money, but they have not done a thing to improve ginning in the South. We can give them another \$10,000,000. Perhaps no State will put up the \$250,000, and they will continue to divide these ten millions with the Bureau of Standards and the Department of Agriculture and the agricultural colleges in the States, and in 5 years from now we will be just where we are today. I want our committee to write a definite bill saying to the Department just what we should do in bringing about the results that we ought to bring about by research work. [Applause.] The spending of this \$10,000,000 will be just like the spending of various other millions which we have spent, and we have not scratched the ground.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FULMER. I yield.

Mr. MAY. Does not the testimony before the gentleman's committee show that they have a large number of experts in the Department of Agriculture, regularly employed all the time, that they could set up an establishment and ascertain this thing and analyze these things and find new uses without additional appropriations?

Mr. FULMER. As I stated, this \$10,000,000 will just be another ten million that will go through the same machinery and the same hands, and the results will be just what we have been getting.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 3 minutes.

Mr. REES of Kansas. What does the gentleman suggest should be done?

Mr. FULMER. As stated, there ought to be a bill written definitely telling the Department of Agriculture just exactly what they should do along different lines that will get results.

The CHAIRMAN. The time of the gentleman has expired.

At the time the Chair recognized the gentleman from South Carolina, the Chair did not understand the purport of his amendment, or he would not have recognized the gentleman from South Carolina at that particular point. The gentleman's amendment was to strike out the section. The Chair understands there are several perfecting amendments to be proposed to section 402.

Mr. JONES. Mr. Chairman, I ask unanimous consent that when the perfecting amendments are adopted, all debate on the Fulmer amendment and all amendments thereto close in 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WILCOX. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILCOX: On page 82, line 6, after the word "thereof", strike out the period and insert "of which sum of \$10,000,000, \$1,000,000 is hereby allocated to the Secretary of Commerce to be expended for the promotion of the sale of farm commodities and products thereof, in such manner as shall be by him directed."

Mr. JONES. Mr. Chairman, I would like to ask the other members of the committee if they do not think that amendment is agreeable? That amendment rather appeals to me. We would have additional methods of disposing of farm commodities and their products.

Mr. DOWELL. Mr. Chairman, will the gentleman yield for a question?

Mr. JONES. I hope this will not be taken out of the time of the gentleman from Florida.

Mr. DOWELL. Just how is this to be administered?

Mr. JONES. I think the amendment is self-explanatory. It will be expended by the Department of Commerce in an effort to advance the sale of farm commodities and products thereof abroad, as I understand it. I rather like the amendment.

Mr. WILCOX. Mr. Chairman, I do not want to be in the position of a lawyer arguing his case after he has won it. If the committee will accept my amendment I do not desire to make any speech. [Applause and laughter.]

This amendment is of particular value and importance to my State, because the Department of Commerce has been active in finding an expanded market for our fruits and vegetables. If they are given this additional \$1,000,000 they can further expand our market and to that extent overcome the injury sustained by my people under the Cuban treaty.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Florida.

Mr. HOOK. Mr. Chairman, I rise in opposition to the amendment.

Mr. WILCOX. Well, Mr. Chairman, if there is going to be objection to it, I would like to be heard, of course.

Mr. HOOK. I just want to ask a question.

Mr. WILCOX. I yield to the gentleman.

Mr. HOOK. Is not section 32 for that purpose? Why divert \$1,000,000 from the program for new uses and new markets?

Mr. JONES. As I understand it, section 32 funds are under the control of the Department of Agriculture and are used through the Federal Surplus Commodities Corporation. The Department of Commerce has its contacts, and it seems to me would be in a position—and I am sure that is the philosophy the gentleman from Florida has in mind—to, perhaps, negotiate some trades to help dispose of these products. I would like to have that amount turned over to that department for that purpose. I believe they might do something worth while.

Mr. WILCOX. They already have the machinery set up, and it will avoid the diversion of any of this fund for overhead expenses, because they already have the machinery set up for carrying out the very purpose for which the amendment is offered.

Mr. HOOK. Do they not have an authorization for that purpose already?

Mr. JONES. That philosophy is in the bill already.

Mr. HOOK. Is there not money appropriated for that purpose to the Department already?

Mr. JONES. I am not sufficiently familiar with the appropriations for the Department of Commerce to know, but I do know that with the machinery and facilities and contacts which they have throughout the world, with trade and business relationships, they certainly ought to be able to do something with it. I would like to try them out on it.

Mr. WILCOX. I thank the gentleman. And, now, Mr. Chairman and gentlemen, I want to say that this concession and the allocation of the \$70,000,000 for the expansion of markets constitute about the only advantages that have been granted to the farmers of my State in any farm legislation passed during the last 5 years.

I regret that the point of order was sustained to the amendment which I offered yesterday and I regret that the tobacco amendments offered by my colleague [Mr. GREEN] were rejected. I have the gravest doubts about this bill. It is by no means satisfactory to me. It will be a keen disappointment to thousands of farmers in my State. I am going to vote for it, however, because I realize that it will be largely rewritten in conference, and I trust that it will be improved and the bad features removed in conference. And, since the only way to get it to conference is to pass it, I am going to vote for it, but I reserve the right to vote against it when it comes back from conference if it has not been improved.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida [Mr. WILCOX].

The amendment was agreed to.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer a perfecting amendment.

The CHAIRMAN. The Chair will state to the gentleman from Minnesota that we have not reached the section that he proposes to amend.

The Chair will state to the gentleman from Texas that all perfecting amendments have now been offered to this section. There now remain 3 minutes on the amendment offered by the gentleman from South Carolina. The Chair recognizes the gentleman from Texas for 3 minutes.

Mr. JONES. Mr. Chairman, I hope the House will vote against the amendment offered by my good friend from South Carolina. I regard this as attacking the method that the experience of this and other nations has shown is the finest approach to the solution of the surplus-crop problem.

I was very much impressed by the facts presented by the gentleman from New York [Mr. REED] on yesterday. He has made a study of these things. I feel that this provision opens a vast field for accomplishment. You cannot name the places and set out the conditions absolutely in starting a proposal of this kind. But we always have control over the purse strings and the revenue officers will have to make good if this is continued. It is my feeling that every time we secure a wider use for cotton, wheat, dairy products, or any other commodity that is produced in America we add to the labor, we add to the employment, we add to the happiness of the people.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina to strike out the section.

The amendment was rejected.

The CHAIRMAN. Amendments are now in order to section 403.

Mr. McCORMACK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McCORMACK: At the end of line 4, on page 83, insert the following new language:

"Sec. 404. Section 32 of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, as amended, is amended by inserting at the end thereof the following: 'The powers under clause (2) of this section to encourage domestic consumption of commodities by diverting them from the normal channels of trade and commerce shall extend to fish (including shellfish) and the products thereof.'"

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. JONES. I understand this is simply carrying out what has been done heretofore. I do not think there will be objection to it.

Mr. COFFEE of Nebraska. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the funds set aside under section 32 are primarily for the purpose of finding ways of removing agricultural surpluses from the domestic market by converting them to industrial uses, diverting them to relief channels, or subsidizing the exportation of the surplus agricultural products. As you know, 30 percent of the customs receipts of this country are set aside for that purpose. If we include fish in this section we are going to enlarge the scope of section 32.

Every Member from an agricultural State knows that we have not sufficient money in this fund now to take care of the agricultural surpluses. If we include fish we shall have that much less money.

Mr. Chairman, I hope the amendment will be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The amendment was rejected.

Mr. DIRKSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 83, line 4, after the word "cotton", strike out the period, insert a comma, and add the following language: "and is further amended as follows: Notwithstanding any other provisions of section 32 as amended, not to exceed 50 percent of the funds made available by said section 32 shall be devoted to any one of the commodities of cotton, tobacco, corn, wheat, or rice in any fiscal year in carrying out the purposes of said section."

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. JONES. Will not the gentleman change his amendment to make it become effective after June 30, 1939, leaving out the coming year? Committals already have been made with which I think this amendment would conflict.

Mr. DIRKSEN. Yes.

Mr. JONES. And I will state that I do not want any more earmarking of this fund for specific commodities that run off into another field.

Mr. BOILEAU. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. BOILEAU. Will not the gentleman agree to modify his amendment further by reducing 50 percent to 25 percent?

Mr. JONES. I rather think that would be a good modification, Mr. Chairman.

Mr. DIRKSEN. Mr. Chairman, I ask unanimous consent to modify my amendment in these two particulars.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will report the modified amendment.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 83, line 4, after the word "cotton", strike out the period, insert a comma, and add the following language: "and is further amended as follows:

"Notwithstanding any other provisions of section 32, as amended, not to exceed 25 percent of the funds made available by said section 32 shall be devoted during any fiscal year after June 30, 1939, to any one of the commodities of cotton, tobacco, corn, wheat, or rice in any fiscal year in carrying out the purposes of said section."

The CHAIRMAN. Does the gentleman from Illinois [Mr. DIRKSEN] desire recognition?

Mr. DIRKSEN. Mr. Chairman, I want to take just a moment or two.

In a few words, I should like to summarize the situation which prompts this amendment. Members will recall that in August of 1935, the House passed a series of amendments to the Agricultural Adjustment Act. Included in that amendment was a section, popularly referred to as section 32.

This section provides that an amount equal to 30 percent of the gross customs receipts may be used for the purpose of paying indemnities to exporters and producers of agricultural commodities and for the purpose of diverting such commodities and surplus quantities thereof from the regular channels of trade. As a result of this section indemnities have been paid for the export of surplus wheat from the Pacific coast, export of other commodities, and for the purchase of such commodities and their distribution to relief. Only a portion of the funds made available by this section have been used.

On the last day of the first session of the Seventy-fifth Congress and just an hour before its adjournment sine die, something happened which provoked many Members. The conference report on an appropriation bill came back to the House for final action, containing a legislation provision which earmarked \$65,000,000 of the section 32 funds for each of the years of 1938 and 1939 with which to pay benefits to cotton producers. In fact, it provided for a benefit that should represent the difference between 12 cents a pound and the prevailing spot price of cotton but not to exceed 3 cents a pound. To me as well as others, it appeared that all of the section 32 funds might be used for a single commodity and this can hardly be regarded as fair to the producers of other commodities such as corn, wheat, tobacco, and rice. Customs receipts or their equivalent are after all public funds and should be equitably and fairly allocated among all commodities and in order to insure that this will be done, the amendment I propose recites that not to exceed 50 percent of section 32 funds shall be devoted to any one commodity. I am quite agreeable to the modifications suggested by the chairman of the committee and also to the suggestions of the gentleman from Wisconsin [Mr. BOILEAU] to reduce the figure to 25 percent. The only reason for setting it at 50 percent was to make provision for the funds that have already been earmarked in 1938 and 1939.

It may be of interest to Members to know that the customs receipts for the fiscal year 1938 are estimated at \$463,000,000 and that 30 percent of this amount would make available, for section 32 purposes, the sum of \$138,900,000. With the limitation proposed by this amendment at least a portion of this fund will be available for all commodities that may need assistance through indemnities to exporters or for purchase of surpluses and their diversion to relief. I appreciate the complete fairness of the committee in agreeing to this proposal as modified.

Mr. JONES. Mr. Chairman, I would like to insert the words "agricultural commodities or the products thereof."

Mr. DIRKSEN. I think the basic act takes care of commodities or the products thereof.

The CHAIRMAN. Does the gentleman from Texas ask unanimous consent to modify the amendment?

Mr. DIRKSEN. It is not necessary. The basic act takes care of the other commodities.

The CHAIRMAN. Does the gentleman from Texas [Mr. JONES] ask to further modify the amendment?

Mr. JONES. It is satisfactory.

Mr. WHITTINGTON. Mr. Chairman, may we have the amendment reported as modified?

The CHAIRMAN. The Clerk has just reported the modified amendment.

Mr. WHITTINGTON. We understood there was a further modification.

The CHAIRMAN. No. But the Clerk may again report the amendment as modified.

The Clerk again read the modified Dirksen amendment.

Mr. JONES. Mr. Chairman, I do believe the words "to any one agricultural commodity or the products thereof" should be included.

Mr. DIRKSEN. I am agreeable to that.

Mr. JONES. I ask unanimous consent to include those words.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to further modify the amendment. The Clerk will report the modification.

The Clerk read as follows:

Insert the word "agricultural", so as to read: "to any one of the agricultural commodities."

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BOILEAU. Mr. Chairman, I ask unanimous consent that we may come back to this particular section, at which time an amendment may be prepared that will meet the desires of the various gentlemen.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

Mr. JONES. Mr. Chairman, reserving the right to object, we have a lot of things to do here today. I believe the words "or the products thereof" should also be included.

Mr. DIRKSEN. I am agreeable to that modification.

Mr. BOILEAU. Mr. Chairman, I withdraw my unanimous-consent request.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. DIRKSEN: Page 83, line 4, after the word "cotton", strike out the period, insert a comma, and add the following language: "and is further amended as follows: 'notwithstanding any other provision of section 32 as amended, not to exceed 25 percent of the funds made available by said section 32 shall be devoted during any fiscal year after June 30, 1939, to any one agricultural commodity or the products thereof in any fiscal year in carrying out the purposes of said section.'"

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois [Mr. DIRKSEN].

The question was taken; and on a division (demanded by Mr. BOILEAU and Mr. DIRKSEN) there were—ayes 103, noes 60. So the amendment was agreed to.

The CHAIRMAN. Are there any further amendments to section 404?

Mr. COLMER. Mr. Chairman, I move to strike out the last word; and ask particularly for the attention of the gentleman from Texas, the chairman of this committee.

Mr. Chairman and Members of the Committee, the historian Green, in his Short History of the English People, relates a most interesting human incident. This narrative is so illustrative of my state of mind upon this farm bill, upon which we will no doubt vote today, after some 10 days of debate, that with your indulgence I should like to relate it here. According to this great historian, back in the days prior to the invasion of that great country by William the Conqueror, in 1066, an Irish monk was pioneering in that part of the British Empire then known as Northumberland. Late in the afternoon, tired of body and weary of foot, as the shades of evening were falling across that rugged country, he came upon the estate of a great landed lord. He sought an entrance and finally found himself in the vast hall, the floor of which was strewn with rushes for a carpet. The evening meal was being partaken of. On an elevation in one end of the room the lord and his lieutenants were seated around the banquet table. Over the rest of the hall sat the vassals and tenants, each partaking of the crude foods that were served. Now, strangers were rare in that section of this unsettled country. So the mighty lord called upon the monk for the purpose of his mission. The monk, arising, proceeded to address the lord and serfs. In a simple but convincing manner, he told the story that is now so familiar to the civilized world of Christ

and the Christian religion. The reaction was what might have been expected among a heathen people. A discussion ensued. Finally an aged servant with but a few years separating him from the grave arose and, addressing his lord and master, said, "Lord, let us accept the creed that this good man, stranger though he be, brings us. Otherwise we have no hope. Our lives are like that of the bird that flies into this hall from yonder window, circles the room a few times, and then flits out through the window. He comes from nowhere and returns from whence he came." [Laughter and applause.]

And so, Mr. Chairman, I shall vote for this legislation—not because it represents my views or philosophy of this type of legislation. I shall vote for it because it offers the only hope that we now have for relief to the agricultural peoples of this great country. And I shall support it by my vote with the hope and belief that when the Senate has enacted its bill, which is so different in its provisions from the bill which we now have in conference, some kind of legislation that will be of substantial benefit to our farmers will be enacted. Every man here must realize that this legislation is going to be rewritten in conference and that we shall have another opportunity to pass upon that legislation when it is brought back from conference.

Frankly, Mr. Chairman, I must confess with all due deference to the committee which reported this bill, that it is far from being the type of legislation that the country is expecting. On a former occasion I gave this committee due credit for their honesty and integrity of purpose. But the fact remains that this legislation in its present form will prove, if enacted into law, the greatest disappointment that the farmers of this country have experienced in some time. It is satisfactory to no one with whom I have discussed it. Strip it of all of its unnecessary verbiage and analyze it, and you have but one thing—namely, the machinery for the distribution of the soil-erosion benefits and the loan benefits. Both of which benefits we already have.

I yield now to the distinguished chairman of the Committee on Agriculture, who has worked very laboriously and arduously on this legislation, for his reaction to this statement.

Mr. JONES. Mr. Chairman, I may say to the gentleman that I believe there is a good deal more in this bill than that. In the first place, we authorize changing this program to an acreage basis, which I think is very desirable and will be fairer. We have much better control of the small producer. We have provision for loans which will run along through the years, rather than giving temporary authorities. Then we have a provision for research, to which the gentleman referred. We have a provision which makes mandatory the use of the fund made available for exports and for wider distribution at home. We have a provision for tackling the discrimination in freight rates.

Further, we have a provision which would probably make necessary the appropriation of the full \$500,000,000, which was not used last year. We provide for a much higher authority to the local committees, giving more leeway to them in the handling of their projects, which I believe is very desirable. In addition, I believe we have a better method of distributing the funds and also of handling the problems which we already have before us.

These are some of the additional provisions we have in the bill. I cannot think of all of them now, but I believe this bill is an infinite improvement over the other, even aside from the marketing provisions.

We also have a further provision that if a jam comes, through the vote of the farmers themselves they can have orderly marketing, which is largely the system used by business.

I think the bill is a very great improvement over the present situation.

Mr. COLMER. I appreciate the comments of the distinguished chairman of the Committee on Agriculture, but—

Mr. PATMAN. Mr. Chairman, will the gentleman yield? Mr. COLMER. I yield to the gentleman from Texas.

[Here the gavel fell.]

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. I am afraid our chairman is too optimistic about the program for next year, including the 60 percent acreage provision. The program for next year is already prepared. This bill surely will not become a law before February 1, if then, so it will probably be too late even if the Department of Agriculture wants to put it into effect at that time, as it is too near planting time. I am hopeful that the gentleman is correct, but I believe he is too optimistic.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I suggest to the gentleman that this bill contains a reference to tobacco, and this provision is very satisfactory to all the tobacco-producing sections.

Mr. COLMER. Mr. Chairman, I appreciate what has been said about this matter, but I am still not convinced that this bill is going to be of any substantial benefit to the cotton growers of my section.

Mr. KLEBERG. Mr. Chairman, will the gentleman yield?

Mr. COLMER. I am sorry, my time is very limited.

This piece of legislation will prove unsatisfactory to both the proponents of a compulsory-control program and the voluntary-control advocates. If left in its present form and enacted into law as such it would mean 8-cent cotton at the most next year. It does not even attempt to go into effect, so far as the marketing quotas are concerned, until 1939. And I here and now predict that it will not go into effect at that time because the demand for some substantial remedial legislation will be so pressing before 1939 that this legislation will be discarded. The conferees must rewrite a new bill. Whatever is good in each bill of the respective Houses must be salvaged, and out of it must come a new and remedial piece of legislation.

Mr. Chairman, the needs are adamant. With a 19,000,000-bale crop this year the price of cotton today is less than 8 cents a pound. There is going to be a substantial carry-over until next year. The cotton farmer is in distressing circumstances. It cost him as much if not more to produce his cotton this year than he will receive for it. It will be difficult for him next year to raise the necessary funds to supply himself for another crop. His children must go to school; his taxes must be paid; his family must be fed and clothed. And yet, with this enormous carry-over of eight or ten million bales of cotton last year, he is not even promised under this legislation any more assistance than he received this year. If a better piece of legislation does not come forth from the conference, on the part of the conferees considering both bills, there is going to be much distress in the farm areas, and particularly in the Cotton Belt next year.

With this in mind I have sought in every way I knew to improve this piece of legislation during the past 10 days that it has been considered and even prior to that time when the committee was considering the legislation in executive session. And, mind you, Mr. Chairman, that was the only opportunity that we had to make our views known. The committee, under the lash of haste in order to get this measure ready for this extraordinary session, held only executive sessions. No piece of legislation that has come before this body in the time that I have been a Member thereof has received more earnest and conscientious effort on my part than has this particular piece of legislation. As one of the sponsors and coauthors of the so-called Poage bill, together with Messrs. POAGE and PATMAN, we endeavored in every way to bring this thought embodied in this bill to the attention of the House. Naturally, I supported it when it was offered as a substitute for this bill which we will soon

vote upon. This piece of legislation which we introduced, of course, was not perfect. But it did offer the farmer a profit on his products. It provided for that essential necessity of recapturing our foreign markets. It did give the farmer the parity price, which the Department of Agriculture now estimates at 16½ cents per pound for that portion of the cotton consumed in the United States. It did allow him an opportunity to grow as much additional cotton as he saw fit to throw upon the world market at world prices to compete with foreign growers' cotton. Notwithstanding all of the objections that have been raised to it, it offers a workable basis on which a piece of farm legislation could be enacted by the Congress that would make our farmers happy and prosperous.

It is passing strange to me that under this program of this administration every time someone tries to offer Federal aid to the farmers he is met with the cry of, "How are you going to get the money?" or, "How is the consumer going to pay such prices?" or, "You can't do that, because it is not practicable or constitutional." And yet when some other class of people is involved, these same people, many of whom claim to be administration leaders, fall in line and demand your cooperation on the theory that it is an administration measure. I maintain that it is just as equitable, feasible, practical, constitutional, and just as easy to get the money to help the agricultural industry as it is any other industry or class of people. It is just as feasible, constitutional, practical, and financially sound to enact a farm bill with parity prices as it is to enact a coal bill or a wage and hour bill. They are all on the same principle. I believe in labor receiving a fair and adequate wage, but I also believe with the same justice and reason in seeing the farmer receive a living wage and a fair wage returned for his efforts in the form of a fair price for his commodities.

In spite of what I have just said I do not want to leave the inference that the bill is bad in its entirety. Certainly it is better than no legislation at all. Its provisions for research laboratories for the development of new uses for agricultural products have already been praised by me. And I am very grateful to the committee, and particularly to the chairman [Mr. JONES] for the adoption of the committee amendment which I besought of him for a three-bale exemption from the penalties of the marketing quotas. This provision in the bill will mean much, especially to the small farmers who grow cotton.

So, Mr. Chairman, in conclusion, as disappointing as the legislation is and as I fear that it will prove to be in its administration, I find myself in the attitude of the landlord's vassal to whom I referred in the outset. I shall go along on the theory that it offers the only hope, coupled with the hope that this legislation may be substantially remedied in conference before being finally enacted into law.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 6 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEAVY. Mr. Chairman, I rise in opposition to the pro forma amendment.

NATURE OF THE PROBLEM

Mr. Chairman, there is no division of opinion in this House on the question of the plight of agriculture. In that regard it certainly is not a partisan question; neither is it a sectional question. The Republican farmer, the Democratic farmer, and the Progressive farmer, and the Farmer-Laborite farmer all suffer alike. The farmers of the West, the North, East, and the South have the same common grief.

NO REFLECTION ON THE COMMITTEE

There shortly will be proposed here a bill offered by the gentleman from Iowa [Mr. EICHER] and the gentleman from Oklahoma [Mr. MASSINGALE] as a substitute for H. R. 8505, the committee bill, which will come more nearly accomplishing the purpose that all of us in this Congress and

throughout the Nation desire, than would the bill that we have had under consideration for almost 10 days. Making this statement, I in no way want the inference drawn that I reflect upon the good faith, sincerity of purpose, nor the intelligence of the Agriculture Committee of this House nor its great leader.

THE TWO BILLS

I want to refer to the substitute as the Massingale-Eicher bill, and I shall refer to the bill that we have had under consideration for this long time as the committee bill. Now I want to contrast these two measures as best I can within the limited time at my disposal.

The committee bill is a document of some 86 pages, and it seeks to complement, supplement, and tie itself into previously enacted legislation, to wit, the Soil Conservation, Surplus Commodity Corporation, and Domestic Allotment Acts. This very effort has made of the committee bill a document most difficult of full understanding because of the amending effect it will have on the Soil Conservation and Domestic Allotment Acts. These acts are general in their scope and operation, while that of the committee bill limits itself to but five major agricultural products and creates innumerable possibilities for both partiality and prejudice to sections, to groups, and agricultural commodities themselves.

Now, let us look at the Massingale-Eicher bill. It is an independent act some 16 pages in length, covers the whole field of agricultural production, and in no way interferes with the operation or effect of existing agricultural legislation. It cannot be held as partial or prejudicial to any section, region, commodity, or group. It is written in plain, simple, understandable language, with all the legalistic words and phrases necessary. It would provide by law that the American farmer should be given the cost of production for such commodities as are domestically consumed, and for such additional commodities as would be stored as warehouse reserves. This proposal, I am sure, is what each of us wants, irrespective of our political affiliation and irrespective of whether we represent exclusively urban or rural constituencies.

The committee bill presents extremely difficult and complex administrative features. At most, the benefits to be derived are uncertain and the distribution of such benefits in all probability, would prove to be inequitable. The Massingale-Eicher bill simply avails itself of existing governmental agencies in the Department of Agriculture that would ascertain, as they have in the past for a good many years, the cost of producing a particular commodity, keeping each farm as a separate unit and then allow the original producer of such product such cost plus the return on his investment, for so much as was domestically consumed or stored. Should he see fit to produce in any one year quantities substantially in excess of what are consumed, or stored against possible contingencies, such excess, in many lines, would be produced at an actual loss, and the natural reaction to this class of product would be a voluntary curtailment without governmental coercion or compulsion. In other words, the effect sought to keep production in the innumerable agricultural products reasonably within demand, would be brought about through natural and not by arbitrary compulsion.

COMMITTEE BILL NOT EFFECTIVE UNTIL 1939

Another argument of tremendous weight in giving consideration to the merits of these two bills is the fact that if the committee bill accomplished all that its most optimistic sponsors think it would, it is conceded that it could accomplish nothing before the crop season of 1939 because its complicated and difficult mechanical features make it impossible to be set in operation before 1939. The Massingale-Eicher bill would be effective in 1938 when it is needed the most.

Again there is this contrast. No one can even ascertain with any remote degree of certainty the drain upon the Federal Treasury to make effective the operations of the committee bill, while it is quite certain and definite that to put into effect the operation of the Massingale-Eicher bill would cost comparatively little and be no drain on the Federal Treasury.

CONSTITUTIONAL ISSUES

As to their constitutionality, even the most liberal among us have a feeling of doubt and concern relative to certain features of the committee bill. To illustrate, it proposes to make effective its quotas through a negative vote, rather than an affirmative vote. It recites that if more than one-third of those qualified vote against quotas, then there would be no quotas, instead of providing that when two-thirds vote affirmatively for quotas such shall be imposed. The reason for this is to meet constitutional objections to such legislation found in the A. A. A. decision. I am wondering how we can escape that well-known, common, and fundamental principle of law which every lawyer in this House knows and which has the approval of the American people. That is: "You cannot do by indirection that which you are forbidden from doing directly." Here we are in the position of admitting that affirmatively we cannot impose quotas, so we seek to do it negatively and accomplish the same result.

DENIES TO FARMER HIS "DAY IN COURT"

Then there is another feature of the committee bill which evidently was written into the measure to comply with the due-process clause of the Federal Constitution, but which in express language denies to the litigant the benefits of that constitutional provision and denies to the courts powers expressly granted them by the Constitution and the laws by which they exist. I refer specifically to the paragraphs found on pages 79 and 80 entitled "Court Review" and "Exclusive Jurisdiction." Briefly, it is there provided that an aggrieved farmer, when it is sought to impose upon him against his will the compulsory provisions of the act, may institute an action in the Federal court. And when he gets into the court, the court is expressly denied the right in any manner whatever to pass upon the facts involved in the dispute or to review the facts, but must approve the facts as found by the review committee appointed by the Secretary of Agriculture, a party in interest.

I want you to consider for a moment the anomalous situation created where a court of general jurisdiction has before it through voluntary submission both the interested parties and the subject matter and then is told by the language of the act that it cannot exercise its constitutional and its inherent powers, but must accept a decision by a nonjudicial administrative body as final and conclusive. I certainly doubt the constitutionality of this provision.

In the Massingale-Eicher bill no such complications whatever exist.

SUBSTITUTE BILL LEAVES THE FARMER FREE

Another distinguishing and all-important difference between the committee bill and the bill we seek to substitute for it is that the committee bill is based upon compulsion by the Government, commanding and compelling the farmer to do certain things and to refrain from doing certain other things—legislative conduct inconsistent with our theory of free government. In the pending substitute bill the matter of free choice is left to the farmer. The committee bill is based upon the theory of limiting production with the hope of possible Government rewards for so doing and upon maintaining insofar as possible the status quo of agricultural production in the enumerated commodities without giving consideration to the retiring of old and worn-out lands and the bringing of new lands into use—without giving consideration to a constantly changing method of production and distribution and without giving consideration to that great field of agriculture that lies outside of and beyond the five commodities mentioned. The very efforts to do this have resulted in 86 pages of printed matter contained in the bill with its confusing language.

EVERY CLASS OF FARMER BENEFITED

Now, when we come to the Massingale-Eicher bill, we will find it free from the question of doubt as to its constitutionality. We find it based upon the just and equitable principle that "the laborer is worthy of his hire" and that the farmer, irrespective of the type of agriculture that he happens to be engaged in, will have his rights protected by

being assured a reward for the hours he spends in toil in producing the fundamental essentials for the existence of life itself. We shall find that it will tend to keep that vast army of fine people now living on our farms there, because the rewards for time used in agricultural production can be made equal to those used in the industrial field. It is consistent with the proposed wage and hour legislation because it assures the agricultural producer a decent return for his efforts just as wage and hour legislation seeks to benefit the industrial worker. I favor that principle for both these two great and important classes.

In addition to this, the bill we seek to substitute favors the very fellow that we seek to help most; the little man, the poor man, the individual farmer. He will find it not only best to remain on the farm, but there will be held out to him the real hope of ultimately being an independent unit in a great national program, free from the curse of sharecropping, farm tenancy, and overwhelming mortgage burdens.

END GAMBLING ON BOARD OF TRADE

I know that to the hundreds of parasites and gamblers on the board of trade, who rob both the farmer and consumer, that the enactment into law of the Massingale-Eicher bill would be unpopular, because by providing that the farmer should have the cost of production for domestic consumption and the world price for the exportable surplus, we would sound the death knell for those gamblers who have farmed the farmer and robbed him of the major portion of his efforts throughout the years. There would be no trading in futures. There would be no buying on margin. There would be no "bear" and "bull" markets, but there would be justice in a maximum degree, to the most important single element in our Nation, the American farmer.

It seems to me, Members of Congress, that based upon the highest plane of patriotism and in fairness to the most important single unit in our economic structure, we can and all should vote to substitute the Massingale-Eicher bill for the committee bill or procure such result by a motion to recommit. [Applause.]

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I think the sections we have just considered, 401, 402, 403, and 404, would be better arranged under title II, and I therefore offer an amendment, now that those sections have been considered, which changes the title and makes the appropriate changes in numerals, and so forth.

The Clerk read as follow:

Amendment offered by Mr. JONES: Page 14, strike out lines 4 and 5, and insert:

"Title II—Adjustment in Freight Rates, New Uses and Markets, Disposition of Surpluses, Loan Provisions, and Consumer Safeguards."

"Part I—Freight Rates, New Uses and Markets, Disposition of Surpluses."

Page 14, after line 5, insert the matter found beginning on page 81, line 4, and ending on page 83, line 14, with the following changes:

Page 81, line 5, strike out "401" and insert "201."

Page 81, line 24, strike out "402" and insert "202."

Page 82, line 23, strike out "403" and insert "203."

Page 83, line 7, strike out "404" and insert "204."

Strike out the matter on pages 81 and 83 above referred to.

Page 14, after the material heretofore inserted, insert:

"Part II—Loan Provisions and Consumer Safeguards."

Page 14, line 7, strike out "201" and insert "221."

Page 15, line 11, strike out "202" and insert "222."

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to return to section 402 for the purpose of offering an amendment, simply to strike out the word "hereafter." I have spoken to the chairman about it.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 82, in line 15, strike out the word "hereafter."

The amendment was agreed to.

The CHAIRMAN. Are there any amendments to section 405?

Mr. JONES. Mr. Chairman, I ask unanimous consent that section 405 be changed to section 401.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Are there any amendments to section 406?

Mr. HOPE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, for the past several days during the discussion of this bill some of my Republican friends representing the dairy sections have shed a good many tears over the control and restraint which they feel this bill would put upon the producers of commodities like cotton, wheat, corn, tobacco, and rice. I understand the gentleman from Minnesota, Mr. ANDRESEN, will offer a motion to recommit which will provide for striking out all provisions relating to marketing quotas. There will also be a separate vote on the question of applying marketing quotas to wheat.

In this connection I want to call the attention of the Committee to the fact that on the 19th day of last April the House passed what is known as the Agricultural Marketing Agreement Act of 1937, which was passed especially for the benefit of the dairy industry and at the urgent solicitation of Members of Congress and others representing that industry. That measure provides infinitely more control, and infinitely stricter penalties upon farmers and producers than anything we have in this bill.

I call the attention of the members of the Committee to the fact that under the terms of that marketing-agreement act, covering dairy and other products, the penalty for the producer who exceeds the allotment given him by the Secretary of Agriculture is to pay three times the current market value of the commodity.

In the present bill the penalty for the producer of cotton who oversells is 2 cents a pound, and the producer of wheat or corn pays 15 cents a bushel, only a fraction of the value of the commodity. I call further attention to the fact that while the present bill has no provision for fines and penalties, under the terms of this act which we passed last spring, which was not opposed by any Member of the House from the dairy section or any other, there is a provision giving the Secretary of Agriculture authority to make regulations which shall have the force and effect of law, and that the penalty for violation of those laws made by the Secretary of Agriculture is a fine of not to exceed \$100.

Mr. Chairman, in view of the fact that the question of marketing quotas will be an issue in some of the roll-call votes on the bill, I thought perhaps some of the Representatives from the dairy sections who expect to vote against marketing quotas, after having only last April voted for much stricter compulsory provisions, might want to save themselves embarrassment by offering an amendment to repeal the act of last April. I have accordingly prepared such an amendment, which I shall be glad to submit to any Member if he cares to offer it at this time.

The CHAIRMAN. The time of the gentleman from Kansas has expired. Are there any amendments to section 407?

Mr. LUCE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LUCE: Page 84, strike out all of section 407 and insert in lieu thereof the following:

"The Secretary is authorized and directed to make appointments for the performance of the functions specified by this act in accordance with the provisions of the Civil Service Act of January 16, 1883, as amended, and to fix the compensation in accordance with the provisions of the Classification Act of 1923, as amended."

Mr. LUCE. Mr. Chairman, this section, if it becomes law, will keep out from under the merit system the personnel who will carry out the law. My amendment proposes the contrary, that the personnel shall be put under the merit system. I am going to pursue the somewhat novel course of

presenting my argument in the words of the President of the United States. As early as August of 1933 Mr. Roosevelt wrote:

The merit system in civil service is in no danger at my hands, but, on the contrary, I hope that it will be extended and improved during my term as President.

On the 29th of January 1936, in a letter to the League of Women Voters, the President said:

There can be no question of greater moment, or broader effect, than the maintenance, strengthening, and extension of the merit system.

And because he says no question can be of greater moment, I submit that this section is in importance equal to any other part of the bill. No question can be of greater moment, says the President.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. LUCE. Not at this moment, until I finish reporting the words of the President of the United States.

Mr. COOLEY. I thought the gentleman had finished.

Mr. LUCE. I have not. I also call attention to the message he sent on the 12th of January of this year in respect to the reorganization of the executive departments, which, in one of his five proposals that he deemed of the greatest importance to the welfare of the country, began as follows:

The merit system should be extended upward, outward, and downward to cover all nonpolicy determining posts.

Next, after the President had watched Congress through 5 months disregard his request, pay no attention to a thing which he called a question of which there is none of greater moment, on the 3d of last June he sent to the Vice President a report of the Civil Service Commission that stated there had been more than 70 bills introduced in that session proposing complete exemption for all positions affected thereby. In the accompanying letter the President said:

Aside from the undoubted fact that the merit system affords the best method of administration of Government business, the particular feature of the system which has the greatest appeal is the open competition it provides to the taxpayers to seek the public employment for which they pay. Please let me urge upon the Congress the desirability of placing all but policy-forming positions under the merit system.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. LUCE. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes.

The CHAIRMAN. Is there objection?

Mr. JONES. Mr. Chairman, I reserve the right to object, and ask unanimous consent that all debate upon this section and all amendments thereto close in 10 minutes.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. TREADWAY. Will the gentleman allow me 3 minutes?

Mr. JONES. I would like very much to get through with the consideration of the bill.

Mr. TREADWAY. I have not said a word on the bill.

Mr. JONES. Then, Mr. Chairman, I ask unanimous consent that debate close in 11 minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman give me 1 minute?

Mr. JONES. Yes. Mr. Chairman, I ask unanimous consent that debate upon this section, all amendments thereto close in 12 minutes, 5 minutes to the gentleman from Massachusetts [Mr. LUCE], 3 to the gentleman from Massachusetts [Mr. TREADWAY], and 1 to the gentlewoman from Massachusetts [Mrs. ROGERS], and the rest to myself.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LUCE. Mr. Chairman, we have now seen this Congress, through many months, refuse to pay heed to the request of the President. It persists in a policy it has now an opportunity to change, that of inflicting the spoils system upon every new activity of the Government. For this reason, sir, singularly enough, I, a member of the opposition party, appeal to those who are presumed to pay attention to

the words of the President, to accept this amendment, and show to the country that you mean to follow him whenever any opportunity permits.

As for the President himself, my regret is that he has through these 4 years and more shown no sign of wish or intention to use his great power over Members of Congress toward influencing them to give heed to his views in this matter. He would confer a blessing on his country if he ceased to content himself with idle words. [Applause.]

The CHAIRMAN. The gentleman from Massachusetts [Mr. TREADWAY] is recognized for 3 minutes.

Mr. TREADWAY. Mr. Chairman, I am heartily in favor of the amendment offered by my colleague, Mr. LUCE. I think, however, it might be wise to offer just a little democratic advice at this time, entirely unsolicited, of course, on the part of the Democrats.

There has come into my possession a letter signed by the acting treasurer of the Democratic National Committee, addressed to officeholders and other good Democrats, soliciting \$25 each during the month of December, for the Democratic fund, in order to further the interests of the Roosevelt Administration. Anyone making that contribution of \$25 is entitled to a ticket to a dinner—a great dinner, spread all over the country, evidently, celebrating the fact that there are Democrats anxious to contribute \$25 to such a cause.

My interest in this is to urge the Democratic National Committee to revise their mailing list and not send out such an appeal as that to people still employed under civil service. I think it is very necessary—

Mr. CUMMINGS. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. No. I do not have time to yield.

Mr. CUMMINGS. I simply wanted to state my ticket was \$100.

Mr. TREADWAY. Evidently the expected contributions from Members of Congress are rated somewhat higher than from the ordinary officeholders. I simply wanted to advise the Democratic National Committee to revise their mailing list, especially if the names of the people to whom the application is made are civil-service employees of the Government.

Of course this is no new process of hold-up methods on the part of Democratic headquarters to secure forced contributions. This dinner farce has been going on for several years and is nothing more nor less than intimidation. Mr. Farley cannot sign the letters himself, as he did originally, because that is directly contrary to section 118 of the Criminal Code. The Democratic National Committee beats the devil around the bush by having the letters signed by the acting treasurer. But everyone to whom the letter is sent knows that Mr. Farley is informed as to who "comes across" and who does not.

The Jesse James method of securing political contributions now in use by the Democratic National Committee is clearly contrary to the spirit of the law protecting civil-service employees from political intimidation. It just goes to show how far Mr. Farley's organization is willing to go in order to perpetuate the New Deal in office.

The funds are being solicited under the guise of selling the contributor a ticket to a dinner. But anyone knows that it is impossible for any person to eat \$25 worth of food, at least at one sitting. And of course the price of the ticket varies with the importance of the office—\$25 to a humble employee under civil service and \$100 to a Congressman. No doubt in special cases they fix the price as high as the traffic will bear, just as they did in the case of the campaign books which were sold to corporations in violation of the Corrupt Practices Act.

The letter to which I have been referring, with the name of the person to whom it was sent deleted, is as follows:

DEMOCRATIC NATIONAL COMMITTEE,
NATIONAL PRESS BUILDING,
Washington, December 1, 1937.

Personal

(Name of addressee deleted.)

There is now being planned a Nation-wide drive, starting December 1, to obtain a pledge from loyal Democrats in each State who will contribute \$25 to the Democratic National Committee, payable over a period of 5 months.

This campaign ends January 8, 1938, and to celebrate this occasion there has been planned a dinner in each of the States. Every contributor will be entitled to a reservation and is invited to attend the celebration to officially represent his own county.

The Democratic National Committee asks and will deeply appreciate your support of this 6 weeks' drive which we hope will mark "One More Step Forward" in our party's progress during President Roosevelt's administration.

Your whole-hearted cooperation to this extent will assure another "Great Democratic Victory."

Sincerely yours,

(Signed) OLIVER A. QUAYLE, Jr.,
Acting Treasurer.

Aside from pointing out the high-pressure methods used by Democratic headquarters to secure political contributions, my purpose in referring to this matter was to call to the attention of civil-service employees the fact that they are under no obligation to make a contribution to this dinner. The civil-service law specifically provides that the Civil Service Commission shall make clear to employees the fact that "no person in the public service is for that reason under any obligation to contribute to any political fund"; also that they "will not be removed or otherwise prejudiced for refusing to do so."

The CHAIRMAN. The Chair recognizes the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I earnestly hope this amendment will be adopted. I am a firm believer in civil service. I always live up to it myself in any appointment that I recommend.

Later this afternoon, after the completion of the farm bill, I will address the House upon the civil-service history from its very beginning. It is not a party matter, Mr. Chairman. History proves that it has not been a party matter in the past. I earnestly hope that the Members of the House will follow the suggestion of the President, although it has not been lived up to by himself or his Postmaster General, and make the civil service a real civil service, instead of prostituting it as it has been in the past.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I am a firm believer in the merit system. I believe that appointments generally should be selected through that method, but I do believe that the residential requirements should be enforced.

I have offered an amendment to the general Civil Service Act requiring that appointments be made in all the various States and subdivisions of people who have been at least 2 years bona fide residents of the respective divisions. [Applause.]

I have a long line of correspondence with the President of the Civil Service Commission. I have told him I would endeavor to put the civil service in every bill if he will see that they get an amendment to the general Civil Service Act that would keep them from sending people from Washington and other States down into Texas and getting people down there who do not know anything about it. [Applause.]

When they get a civil-service merit system that really works and that gets local people in local positions, I will vote for them all along the line. [Applause.]

Of course, in this particular thing an exception ought to be made as to the county committees. There are more of those than any others. They are selected by the farmers and it is impractical to have them subject to civil service.

I have had this subject up with the Civil Service Committee and have talked it over with the chairman of that committee and told him that if they did not have men in the State who were on the eligible list, they can hold a local examination and get men qualified. When they do that I will join them and go clear down the line on the merit system.

Mr. DEMPSEY. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. DEMPSEY. Do you think that in administering the matters in this bill they should be administered as they have been in the farm tenancy bill, where cheap, political lawyers are made chairmen of the advisory boards as they have been in my State?

Mr. JONES. I do not want to make any comparative statements. I certainly do not want that type in this bill. [Applause.]

The CHAIRMAN. The time of the gentleman from Texas has expired.

All time has expired.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. LUCE) there were—ayes 34, noes 77.

So the amendment was rejected.

Mr. LUCE. Mr. Chairman, I ask for tellers.

Tellers were refused.

The CHAIRMAN. Are there amendments to section 408?

Mr. LEWIS of Colorado. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. LEWIS of Colorado. I yield.

Mr. JONES. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes, 5 minutes to be allotted to the gentleman from Colorado [Mr. LEWIS], 5 to the gentleman from Pennsylvania [Mr. MOSER], and 5 to the gentleman from California [Mr. VOORHIS].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LEWIS of Colorado. Mr. Chairman, I am sure we all have the greatest admiration and respect for the Committee on Agriculture, which has labored so long and so faithfully on this bill. I am very anxious to help the agricultural interests of this Nation. In spite of some misgivings, which have not been wholly overcome, although I have listened carefully to most of the discussion on this bill, I am inclined to vote for this bill, provided I can be satisfied on one point. I know that my vote among 435 makes very little difference, but I do feel that somewhere in this bill there should be a definite limitation as to what it is going to cost. Our President has very clearly intimated that unless the cost is kept down within a certain limit, or some provision is made to supply additional revenue, he may veto it. Our Speaker on Wednesday, December 8, inquired of the chairman of the Committee on Agriculture as to what funds would be actually available without the imposition of new taxes. The chairman's answer did not satisfy me that provision is made in this bill to keep the cost within the limitations indicated by the President, or that the chairman had any assurance, or that any of us had any assurance, that provision would be made, in case the cost of the bill exceeds that limit, to raise additional taxes or where such taxes would be laid.

I am receiving communications from citizens. They say they want to help the farmers, but how much is this bill going to cost? Mr. Chairman, I think before we pass any more bills we should know how much such bills are going to cost the taxpayers of this Nation and where and how the additional money is to be raised.

Repeated warnings have been given by the President and by various Members of the House and of the Senate and by other public men that we cannot go on indefinitely the way we have been going. Everybody knows that. I pause to ask the chairman of the Agricultural Committee if he is willing to put in this bill a ceiling, so to speak, on what this bill is going to cost?

Mr. JONES. Mr. Chairman, the only specific authorizations that have been made are those made under the Soil Conservation Act. This bill authorizes additional ones, but no specific authorization is contained in this bill. I had hoped that if the necessity arose the Ways and Means Committee might find additional funds. I certainly do not want to put a ceiling in the bill, because it makes no specific appropriation at all.

Mr. LEWIS of Colorado. Mr. Chairman, that is precisely the point. There is no limitation upon the cost. The blue sky is the limit. We have no statement from the Ways and Means Committee as to how or where we can raise the money.

Mr. JONES. No sum is specifically authorized except the ones that already have been authorized under previous acts.

Mr. LEWIS of Colorado. I regret to say, under those circumstances, unless some limit of cost is put in the bill, I shall be constrained to vote against the bill. The Members of this House and the taxpayers of this Nation are entitled to know what will be the upper limit of the cost of this measure.

Mr. JONES. I do not think the gentleman meant to say that the President will veto the bill, for I do not think he has any information on that subject.

Mr. LEWIS of Colorado. We should not put the President in that position. We should not put him or the Members of this House in the position of deciding upon a bill until its ultimate cost is known.

Mr. JONES. I think this bill is the fairest one that has been presented so far.

Mr. LEWIS of Colorado. I realize full well the excellent work the gentleman from Texas and the other members of his able, industrious, and patriotic committee have been doing. I am just stating my position, which I believe is shared by many Members of this House. I cannot vote for the bill unless there is included a definite limitation on its cost—a limitation on the amount of expenditures of the peoples' money which we are authorizing by passing this bill.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from California [Mr. VOORHIS] is recognized for 5 minutes.

Mr. VOORHIS. Mr. Chairman, there are, in general, two considerations that keep coming up in the course of the debate on this bill. The first is the basic importance of assuring to the farmers of America a decent income, cost of production for the work that they do raising the crops upon which America depends. The second is the argument against attempts to regulate production, to limit production, and arguments to the effect that it is going to be difficult to control farmers in what they are to plant, and so on, and so forth.

I feel that the distinguished chairman of the Agriculture Committee very eloquently answered a lot of those arguments when he pointed out that it was of no particular advantage to a person to have liberty if he had only liberty to live in poverty. After all, we have already come to the position where in many fields in America we are guaranteeing certain prices to great industries like coal and railroads. Many of us, myself included, are heartily in favor of putting a floor under the wages of the worst-paid people of this country. Under those circumstances why should we not put a floor under the price that the farmer receives? As pointed out by the gentleman from Washington [Mr. LEAVY], a proposal to that effect will shortly be brought before us. It implies merely the fixing of a minimum price below which farm commodities cannot be gambled in, a minimum-cost-of-production price which the farmer must receive on all of his crop which is required for the domestic market. This proposal means, in other words, the American market for the American farmer. It implies no restriction of production, but it does imply that there shall be a fair price given to the farmer. Furthermore, it requires no complicated mechanism of enforcement.

I realize the implications of this type of legislation, and I know that they are serious, but I think the record should be made and that we should be looking forward to the time when we shall have to grapple with this problem on a basis like this. It means, furthermore, no limitation of production except such as is incidental and necessary to soil conservation. If all the families in America had cotton mat-

tresses and could afford enough cotton sheets, a much larger proportion of our cotton would be consumed domestically. In short, American poverty alone limits our domestic farm market.

Then we might have, as I wish we could have in this legislation, provision for the distribution of surplus commodities for the nourishment of undernourished children in the schools of America, a matter with which I am deeply concerned, having been a school teacher a good deal of my life. We would obviously need a Government marketing corporation to handle the surpluses. Farmers would receive receipts for the proportion of their crop taken by this corporation and would take their chances on what they would receive for it after sale on the open world market.

Mr. Chairman, I am not going to vote against this bill if it is the best we can get, but I will say at this time I would be delighted if this other principle of guaranteed cost of production prices to the farmer, with no limitation on production excepting such as comes about through soil conservation legislation, might be adopted instead. I think we may all say that for the welfare of the whole of America, better income to agriculture is one of the basic necessities. This is a direct way of getting at that problem.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. Moser] is recognized for 5 minutes.

Mr. MOSER of Pennsylvania. Mr. Chairman, I sought recognition at this time for the purpose of addressing myself to the chairman of the Committee on Agriculture, for whom I have a very sincere affection. As a new recruit to the merit system for the civil service, I wish to extend to him my most sincere congratulations and welcome him to our midst.

Mr. Chairman, there is no one who came to this Congress with more affection for the civil-service system than myself. When I came here I found from experience that the civil service had been cast to the four winds of the heavens through disregard of its provisions. I have a very sincere conviction on that question, and I earnestly hope that everything the gentleman from Texas has mentioned with respect to the President of the Civil Service Commission may be accomplished in the cause of a true merit system in connection with the civil service.

I do not believe the President of the Civil Service Commission understood what the distinguished chairman of the Committee on Agriculture meant when he addressed himself to him. I do know that the President of the Civil Service Commission appeared before the Committee on the Civil Service and stated it was his experience that when an examination was thrown open to competition, while arguing against the open competitive examination, it was his experience there were 14 applicants for every vacancy, and with 300,000 non-civil-service positions that would throw open examinations to some 4,200,000 people, an impossible task.

May I say I do not believe the President of the Civil Service Commission is well informed. I would like to say further for the benefit of the Committee that a colleague from another State had a person call at his office in order to ascertain what States did not have their quotas. Being a resident of Virginia, that person wished to establish residence elsewhere, to take a quota legally apportioned to another State.

Mr. Chairman, I welcome the addition of the chairman of the Committee on Agriculture to the group of advocates of a merit system in the civil service.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent that part II be read by title and amendments may be offered to any part of the section.

The CHAIRMAN. Is there objection?

There was no objection.

The matter is as follows:

PART II—APPROPRIATIONS AND ADMINISTRATIVE EXPENSES
APPROPRIATIONS

SEC. 421. (a) Beginning with the fiscal year ending June 30, 1938, there is hereby authorized to be appropriated, for each fiscal year for the administration of this act and for the making of soil conservation and other payments such sums as Congress may determine, in addition to any amount made available pursuant to section 15 of the Soil Conservation and Domestic Allotment Act, as amended.

(b) For the administration of this act during the fiscal year ending June 30, 1938, there is hereby authorized to be made available from the funds appropriated for such fiscal year for carrying out the purposes of sections 7 to 17 of the Soil Conservation and Domestic Allotment Act, as amended, a sum not to exceed \$5,000,000.

(c) Sums appropriated pursuant to subsection (a) are also authorized to be made available for the purpose of further carrying out the provisions of section 32, as amended, of the act entitled "An act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935.

(d) Sums appropriated pursuant to section 15 of the Soil Conservation and Domestic Allotment Act, as amended, are also authorized to be made available for any one or more of the purposes for which sums appropriated pursuant to this act are authorized to be made available.

ADMINISTRATIVE EXPENSES

SEC. 422. The Secretary is authorized and directed to make such expenditures as he deems necessary to carry out the provisions of this act, including personal services and rents in the District of Columbia and elsewhere, traveling expenses (including the purchase, maintenance, and repair of passenger-carrying vehicles), supplies and equipment, law books, books of reference, directories, periodicals, and newspapers.

ALLOTMENT OF APPROPRIATIONS

SEC. 423. All funds for carrying out the provisions of this act shall be available for allotment to bureaus and offices of the Department, and for transfer to such other agencies of the Federal Government or to such State agencies as the Secretary may request to cooperate or assist in carrying out the provisions of this act.

Mr. JONES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I offer this motion in order to express my appreciation to the Members of the House for the fine courtesy they have shown to me and to the other members of the Committee on Agriculture in connection with the handling of the pending bill. It has been a very difficult assignment. I think the bill affects our biggest national problem. Naturally, every man, woman, and child within the borders of this broad country of ours is interested in its solution.

We had a number of different methods of approach that were presented to us. I understand there are some Members who have indicated their intention to vote to recommit this bill to the Committee on Agriculture simply because they are not wholly satisfied with the bill in its present form. I hope they will not do that. We would be face to face with the same problem of men appearing before us who honestly think and have deep convictions that this, that, or the other plan, or still another plan is the sovereign solution of this problem. I would rather you vote for or against the bill as is. I do not relish the task of going back and trying to select one plan of all those presented and bringing it out here and perhaps having it assaulted even worse than the one now under consideration has been assaulted.

I appreciate very much the tribute which the Chairman of the Committee of the Whole paid to me and to the committee of which I have the honor to be the head. I wish I merited the tribute. I have never sought to be ranked as a great Member of Congress. I have tried insofar as I could to live according to the old-fashioned principle of simple and rugged honesty taught me by my father, and to have a reasonable amount of the industry that he taught me was essential to happiness. That is all I claim.

Mr. Chairman, the Committee on Agriculture has done its best to present a program. I feel it is a very effective one. We provide a simplification of the present farm program. The present Soil Conservation Act I believe is the greatest single step that has ever been taken by the American Congress, if we had nothing else, toward recognizing the right

of agriculture and seeing that it is brought back at least a part of the way to a true place in the picture of our economic life. That in a measure is an offset to the tariff, which, may I say, was recognized by both of the great leaders of two different schools of thought in the beginning of our history, to whom I referred in my opening speech—Thomas Jefferson and Alexander Hamilton. Both agreed on the principle of equality, but differed as to the road by which they would reach that equality. Thomas Jefferson led that school of thought which believed there should be no special legislation in behalf of different groups. Hamilton led the school of philosophy which believed that in the interest of building up the industry of America there should be special legislation in behalf of industrial groups, but he recognized that the circle ought to be completed. They stood for the same major objective but had different roads of approach. I believe we stand there today. I believe everyone in this House wants to live by the principles those two men favored. Some in this House are Democrats and some Republicans, but all are Americans.

[Here the gavel fell.]

Mr. JONES. Mr. Chairman, I ask unanimous consent that I may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONES. Mr. Chairman, we follow the soil-conservation provision with one which I think is very important. We have tried to get Congress to direct the attention of those administering the act to the necessity and the desirability of disposing of more agricultural products, both at home and abroad. We write into this measure a stipulation that it shall be the duty of the Secretary of Agriculture to use these funds in that way. I am persuaded that, with the Soil Conservation Act benefits plus the \$125,000,000 which is available and will hereafter be available for the purpose of enlarging our markets at home and disposing of agricultural commodities and the products thereof abroad, we shall be able in most years to have a fairly satisfactory agricultural situation.

For instance, when we refrain from growing a bale of cotton, probably \$15 to \$18 is lost in labor from the soil to the workbench of the final garment maker. The same is true of other commodities. If we should take half the amount we would lose by refraining from growing a bale of cotton and pay the loss involved in exporting the commodity or its products, and preferably the products, to countries which do not produce cotton and would be favored by such export, we would help the people abroad and at the same time be better off at home. For this reason we have featured that phase in this legislation.

Following that provision we have the farm marketing quotas, so-called, which are to be used only when, after making the soil-conservation payments and exporting abroad all we can as well as distributing the products at home, there comes a glut; and the quotas shall be imposed even then only when the farmers vote in favor thereof.

This is the picture in the most general way of what the committee has presented for your consideration. I hope you will vote the proposition up or down and not go off into other legislation which is far-reaching. [Applause.]

[Here the gavel fell.]

Mr. ANDRESEN of Minnesota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDRESEN of Minnesota: On page 86, after line 11, insert the following: "The aggregate amount expended in any fiscal year for administrative expenses to carry out the purposes of this act, the Soil Conservation and Domestic Allotment Act, as amended, and section 32, as amended, of the act entitled 'An act to amend the Agricultural Adjustment Act, and for other purposes,' approved August 24, 1935, shall not exceed 5 percent of the aggregate amount appropriated for such fiscal year for such purposes."

Mr. JONES. Does the gentleman want to discuss the amendment? I am inclined to say I will agree to it, but the gentleman indicated he wanted to make some remarks.

Mr. ANDRESEN of Minnesota. I do, but I shall make them after this is disposed of.

Mr. JONES. This amendment is in accord with the other amendment to which the House has heretofore agreed, and I can see no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. ANDRESEN]. The amendment was agreed to.

Mr. ANDRESEN of Minnesota. Mr. Chairman, I move to strike out the last three words, and ask unanimous consent to proceed for 8 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. ANDRESEN of Minnesota. Mr. Chairman, in concluding this long and arduous debate which has taxed the patience of our good friends, I want to take this opportunity to compliment our chairman and the members of the Committee on Agriculture, as well as my colleagues, on staying with us and listening to the debate on one of the most important pieces of legislation which has ever been proposed to any Congress. The courtesy of our distinguished chairman, the gentleman from Texas [Mr. JONES], has been exceeded only by his zeal to put through a bill which I believe will not stand the test in any court in this country.

The long duration of this debate has been necessary because no hearings were held by the Committee on Agriculture, and no one, to be affected by the bill, was given an opportunity to express views either for or against this type of legislation or any other legislation.

To summarize what has been said here in the debate, we are writing permanent farm legislation. A special session of Congress has been called to enact sound and beneficial legislation. While this bill no doubt has many meritorious provisions, many of us in the opposition believe the bill will not accomplish the intended results; in fact, Members on both sides of the aisle have indicated in their remarks on the floor that the bill will bring lower prices for agricultural products instead of higher prices; that instead of having an ever-normal granary we shall have an abnormal granary; and instead of having a normal supply to take care of domestic requirements in this country, the supplies permitted by the bill before compulsory control goes into effect will be so large that agriculture will be in a worse state after the bill has gone into operation than would be the case with any other type of legislation we might pass.

There has been some question about the attitude of various farm organizations with reference to this bill, and I am referring to the bill H. R. 8505, which is now before the House. The American Farm Bureau, the National Grange, the Farmers' Union, and all the dairy associations are opposed to title III of the bill, which contains the marketing quotas and the compulsory provisions, comprising approximately 60 pages of the bill. The farmers generally are opposed to the compulsory provisions. They do not want compulsion. They are interested in price and nothing else.

A good many Members of Congress have advocated various types of bills, such as bills embodying the cost-of-production theory, parity price, and the domestic allotment plan. These proposals have not been considered by our committee, and personally I believe we should consider all of the plans in order to work out a satisfactory as well as a constitutional law.

Should the bill before us be passed and approved in its present form, we have written permanent farm legislation, and every group will be denied the right to appear before our Committee on Agriculture and present their proposals.

In order to give everyone an opportunity to be heard in the drafting of farm legislation, I propose to offer a motion

to recommit the bill to the Committee on Agriculture. This will give the committee a chance next week, if the motion is adopted, to take the bill and write an entirely new bill, retaining the meritorious provisions included in this measure—and there are many of them—and then bring a bill back to the House next week for final action, for we should pass farm legislation in a special session of Congress called specifically for that purpose.

Mr. CUMMINGS. Mr. Chairman, will the gentleman yield?

Mr. ANDRESEN of Minnesota. I am sorry I cannot yield.

Mr. CUMMINGS. Just for a question.

Mr. ANDRESEN of Minnesota. Yes; I yield.

Mr. CUMMINGS. The gentleman is a member of the Committee on Agriculture and with the other members of the committee has spent the last 4 or 5 weeks on this legislation. Does the gentleman think it possible, if the bill is referred back to the committee, to report out another bill in a week or 2 weeks or a month?

Mr. ANDRESEN of Minnesota. I will say to my friend from Colorado—

Mr. CUMMINGS. The gentleman can answer that "yes" or "no."

Mr. ANDRESEN of Minnesota. I will say to my friend that we can take the objectionable features out of this bill and report out a bill and get it passed in this House by unanimous consent.

Mr. CUMMINGS. If we would let you write the bill yourself, you would use more time than that trying to do it.

Mr. ANDRESEN of Minnesota. Then we would have a bill here that would give the equality to agriculture to which our chairman has called attention. We are all for that, but this bill will not do it. We want to protect the American markets for the farmers of this country and expand production of commodities of which we produce a deficiency. Also we desire to enact legislation that will restore our foreign market for surplus farm products. We want to restore a parity price level, if that is possible, so that the farmers may have an income and become an integral part of our real American protective system. I am for honest and effective farm legislation. You might fool yourself as to the merits of this bill, but you cannot fool the farmer. I am firmly convinced that in the year 1938, if this bill goes into operation, the prices on farm products will be lower than they are today. The only things which might change the price structure are war, increased foreign demand, or drought.

The compulsory control and marketing quota sections of this bill were conceived in haste and dedicated by its sponsors to an un-American and unconstitutional end. The general effect of these provisions can only bring about a dislocation of agriculture, destruction of our foreign markets, and the surrender of independence by the farmers to a common dictator in Washington. [Applause.]

Mr. TRANSUE rose.

Mr. JONES. Mr. Chairman, it is my purpose in a moment to ask to limit debate on this paragraph with the exception of the substitute which it is planned will be offered by the gentleman from Iowa [Mr. EICHER], on which I hope to have an agreement to have 1 hour of debate on the side for the purpose of presenting that measure. I hope the gentlemen who expect to speak on that measure will not insist on talking now, because we are going to be late this afternoon getting through.

With this understanding, I am going to try to get a limit on the discussion now and I hope the Members will be as modest as possible in their requests for time. I would like to know those who wish to speak on the measure now.

Mr. Chairman, I wonder if the Members who desire to speak now will not be willing to limit their remarks to 3 minutes.

I ask unanimous consent, Mr. Chairman, that all Members who have indicated that they wish to be recognized for 3 minutes may be so recognized, and when their time has concluded, I may have 2 minutes, and that all time on this

part and all amendments thereto do then close with the exception of debate on the substitute to be offered by the gentleman from Iowa [Mr. EICHER].

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The following names were taken by one of the clerks at the desk of Members who desire to address the Committee for 3 minutes: The gentleman from Massachusetts [Mr. GIFFORD], the gentleman from South Carolina [Mr. McMILLAN], the gentleman from Nebraska [Mr. LUCKEY], the gentleman from Kentucky [Mr. MAY], the gentleman from Iowa [Mr. THURSTON], the gentleman from Massachusetts [Mr. TREADWAY], the gentleman from Michigan [Mr. TRANSUE], the gentleman from New York [Mr. SNELL], and the gentleman from Nebraska [Mr. STEFAN].

Mr. MARTIN of Colorado. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MARTIN of Colorado. What is this list that the Chairman has just been reading?

The CHAIRMAN. The gentleman surely heard the unanimous-consent request submitted by the gentleman from Texas [Mr. JONES] that certain ones who rose in pursuance of the request would have the right to address the Committee for 3 minutes. The Chair was simply notifying those who had been observed by the Chair to rise.

The Chair recognizes the gentleman from Michigan [Mr. TRANSUE] for 3 minutes.

Mr. TRANSUE. Mr. Chairman and Members of the Committee, 30,000,000 people are directly depending upon this bill. Indirectly it vitally affects our entire population. Certainly we shall not leave to chance the fate and immediate welfare of one-fourth of our Nation, whose failure means bankruptcy for them and depression throughout our country. My memory of 32-cent wheat and 3-cent hogs is too recent for me to subscribe to the philosophy that farm prices should be left to mere chance.

When Government protects industry by raising and increasing tariffs, this is a proper and applauded governmental function under the Constitution. When we use the power of Government to aid farmers we are charged with taking away the liberty of the farmers.

Is it liberty to have farms and chattels sold by the sheriff at foreclosure sales? The farmers of Iowa and my own State, Michigan, do not think much of this kind of liberty. They banded together and by force prevented these foreclosure sales back in 1932, even to the attempted hanging of a judge.

It is well for us to remember what happened then. It can happen again under like conditions. Farmers will not see all of their life's work taken from them wholesale through no fault of their own and because of conditions over which they have no control. The same may be said of others who labor; they will not starve.

There are certain inalienable rights of man that must be respected. The right to earn one's living and his family's living is still a right of every individual. Many of our people are being prevented from exercising this right at the present time. If our policies or our inaction place very many more in this category, then it will be indeed idle to discuss here the liberty that is talked of by so many in opposition to every attempt to correct and ameliorate dangerous conditions.

Government has not kept pace with the developments and progress that have marked scientific and technological advances. In our complex system no man is any longer sufficient unto himself. Government must cooperate with every segment of our population so that all may have at the very least a decent living. Failing that cooperation—failing this realization that there is a duty toward our neighbor, then the future looks dark indeed.

Many have talked but few have acted in this essential question of helping the farmers of America. In fact, every

party platform in the recent political history of our country has contained promises and more promises to help the farmers and revive agriculture. But farmers and agriculture were given help and assistance of a real and definite nature for the first time by this administration. In 1932 we found 32-cent wheat and 3-cent hogs and other agricultural prices in proportion. These prices prevented the farmers of America from buying the thousands of things that they wanted and needed but which their poverty made impossible for them to get.

These low prices stopped our mills and automobile factories and put 15,000,000 men out of jobs. These prices made bankruptcy the rule with nearly half of the business places gone to the wall and the rest on the way to the same fate. The Agricultural Adjustment Act was passed to stop this downward spiral. It did the job.

Now we are to have an agricultural bill for the general welfare of agriculture and the prosperity of the rest of the Nation. We are not going to sit idly by, waiting to catch sight of prosperity just around the corner. We are not going to permit a trend that would lead again to 32-cent wheat and 3-cent hogs. I believe that this agricultural bill will again start the lagging wheels of industry. I believe that agricultural products will again be sold at a profit to the producer and at a fair price to the consumer, and it is in this belief that I vote for this bill. [Applause.]

Mr. TREADWAY. Mr. Chairman, the gentleman from Colorado [Mr. LEWIS] a few moments ago brought up a very interesting question—one that has not been discussed very much during the week or more of debate on this bill—namely, the cost of the measure. In answering him, or partially answering him, the chairman of the Committee on Agriculture [Mr. JONES] referred to the Committee on Ways and Means. I think he said he hoped that that committee would find ways and means of paying the bill.

That is a very pleasant task, but as one member of that committee I would like to have some definite idea of what amount the Committee on Agriculture expects to ask the Ways and Means Committee to find in the form of more taxation on the American people should this bill become a law. We are here in an effort to reduce taxation and to economize in governmental expenditures at the request of the President of the United States, and still a bill that I am told will cost the Government at least \$750,000,000 per annum has been given no consideration whatsoever from the standpoint of cost or the additional burden of taxation upon the people that it will necessitate. The Committee on Agriculture, as I just said, very pleasantly and kindly and in a friendly way "passes the buck" to the Committee on Ways and Means to find that enormous sum of money to pay for a measure of which we do not know the purport and which the committee itself has not thoroughly described to us.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. REED of New York. Some estimate the cost will be at least \$1,000,000,000.

Mr. TREADWAY. One thing I know about it is that leading members on the Committee on Agriculture and a few members of the Committee on Ways and Means had a brief consultation, at which it was not decided whether the bill would provide the necessary revenue or simply carry an authorization for an appropriation, leaving it up to the Committee on Ways and Means to raise the necessary funds by a separate tax bill. Later it was decided that the Committee on Agriculture would pay no attention to the cost but look to the Committee on Ways and Means for means of paying the bill. I, for one, do not want to accept that responsibility, in view of the fact that we are anxious to reduce the cost of government to the American taxpayer. Any taxes that would be imposed would still further increase the cost of living and oppress those of small means.

Mr. SHORT. And this is not temporary but is permanent legislation.

Mr. TREADWAY. It is permanent legislation. I think the cost of this measure ought to be given careful consideration, which has not so far been done.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. GIFFORD. Mr. Chairman, just a few words of protest from the ranking member of the Committee on Expenditures. Nothing has been said until the present moment with any definiteness as to the cost of this measure. As a member of that committee, I fully realize that the promises you have made here must be kept. You have the \$500,000,000 for soil conservation, and you have \$125,000,000 already available, and in the last paragraph of this bill—read it—provision is made that both sums can be used in any way the Secretary may see fit; it can be juggled around to pay such benefits and in such proportion as he may feel disposed to favor. The point is that you must and will live up to these promises. You cannot pay one farmer for doing something and not pay another farmer who has also qualified.

The bill itself is very, very difficult to understand. I have read the RECORD patiently and have not asked questions that might expose my inability to comprehend. I am taking this little bit of comfort, that fools may ask questions that wise men cannot answer. That is what the teacher told the pupil. The pupil said, "No wonder I could not pass the examination." So I have refrained from asking questions, but I rise at this time to say that we are not wholly uninformed. We realize that \$625,000,000 will be available, but that will not be all. Before the close of the next session you will probably feel in honor bound to appropriate a lot more money. You must live up to these agreements. The debate shows conclusively the futility of this legislation, which simply is enlarged largess to the farmers at the expense of the taxpayers and raise the cost of living to the entire Nation.

I have listened carefully to the remarks about parity prices. I have some 14,000 industrial workers who were recently, perhaps permanently, thrown out of work. The mills are being torn down. These people are very anxious to know what you ought to have for your so-called parity prices compared with what they are now receiving. They were put out of business largely trying to help the farmer, for when you imposed that processing tax upon them it was the last straw that that industry could bear. Parity prices are now a mockery to those industrial workers. What are we willing to do for them?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. MAY. Mr. Chairman, I have not sought during the debate of this bill opportunity to speak on the merits of the measure. Having grown up to manhood on a farm, I naturally have a great deal of sympathy for the farmer, but we are now to the point where it becomes not a question of legislation but a question of expediency and procedure. I have voted on the various amendments that have been offered on the floor of the House, sometimes against the committee, sometimes with the committee. I am not at this time fully satisfied with the bill, but I realize it is one of the most difficult problems with which the Congress of the United States is called upon to deal. To begin with, the farmers themselves are divided and have a variety of notions about what ought to be done for them. Therefore it is not strange to find when we are dealing with some five or six major commodities that the representatives of those farmers are split into groups, contending for various things. I recognize the fact that it would be a difficult thing to reconcile all those differences, and I have reached the conclusion, although it is not entirely satisfactory to me, that with a good deal of reluctance I shall vote for the passage of the bill. I shall vote for it upon the idea that I believe the chairman of this committee and some of his associates, who have made an extensive study of it, are in better position to take care of the interests of the Representatives in the House of Representatives in any matters at issue in conference than they would be to go back to their committee

in extended hearings and bring in another bill. I think that is where we may get some relief, and for that reason I propose to vote for the bill, reserving the right, if the conferees do not improve the bill, to vote against the conference report.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. THURSTON. Every Member of this body realizes that the entire membership of the Committee on Agriculture have been attentive to every constructive suggestion made that might prove helpful to agriculture, and its many subdivisions. We also know that this committee has worked industriously for several weeks, not only during the special session, but in the preceding regular session, in an endeavor to report out a bill that would cover the major phases of this important subject.

While there are a number of provisions in this measure which might prove helpful to the dairying and corn-producing sections of the country, it is clearly apparent that the main structure of the bill has been primarily built around cotton, with wheat occupying second place, and the two great major sections of agriculture, corn and dairying, occupying the least important positions.

The country should understand that when the House and Senate bills are passed by the respective bodies, there will be material differences between the two bills. Under the legislative procedure, the two bills are then referred to conferees representing each body; and strange as it may seem, it is doubtful if there will be a Member of the House or the Senate on the conference committee from a primary corn or dairying section. Cotton and wheat Members will control the conference committee, which to a considerable degree, will rewrite the provisions in the bill which will finally be enacted into a law.

While the bill under consideration may have some moderate benefits for grain and dairy farmers, it is questionable if any substantial results will accrue to the groups mentioned, through this legislation.

It is true that the framework of the bill is intended to supplement and fit into the existing soil conservation program; and to that extent it is to be commended. The provision which will permit grain loans is also desirable, but it is to be regretted that the amendment which would make these loans mandatory was defeated. A long-time farm program should carry this definite assurance to the farmer, as we know that a law to grant loans to steamship operating companies leaves no uncertainty as to financing these water carriers, which will compete with our railroads, that at this time are imploring the Interstate Commerce to grant increased rates because of nonprofit operations.

I wish to assert that if some real benefits are to be brought to agriculture, the increase of import duties on competitive farm products, which are being imported in great quantities, would result in partially saving our market for the American farmer. Great quantities of pork and corn were imported into the United States during the present calendar year, and whenever our farm production is somewhat curtailed, the foreign producer shares our market when the prices of farm products are profitable.

With a free-trade Secretary of State and a free-trade Secretary of Agriculture, who have charge of the reciprocal-treaty program, there does not appear to be any immediate hope of relief from the free-trade, low-tariff program of the present administration.

The only reason our farmers are getting fair prices for some of their products is because the Republicans, in 1930, increased the duties upon foreign farm products from 20 percent to 100 percent. At this time, more than 1,000,000 pounds of foreign wool per day is being brought into our markets. Every pound of this wool could be produced within our own boundaries.

During the first 9 months of the calendar year 1937, the following pork items were imported into the United States, mainly from Poland: live hogs, 15,763,411 pounds; fresh pork, 17,379,469 pounds; hams, shoulders, and bacon, 36,536,887 pounds; other pork, 4,509,503 pounds.

The reciprocal treaty with Cuba has already given that country tariff reductions in the sum of more than \$100,000,000, and placed restrictions upon the production of cane and beet sugar in our country. The slight benefits to our farm products, in the Cuban agreement, were absorbed in the increased importation of blackstrap molasses. In the face of this tremendous gift to the sugar planters of Cuba, most of whom have their head offices in large New York City banks, we are now paying our farmers in the semi-arid districts public funds to reduce beet sugar acreage, so that we can purchase more sugar from Cuba. If these farmers would be allowed to normally produce beet sugar, a considerable acreage now in corn and wheat would be diminished, somewhat relieving the pressure on the products last mentioned.

No other nation has a group of impractical dreamers who are paying their own farmers to reduce production, so that purchases from abroad will displace products which might be raised from their own soil.

There is another highly inconsistent policy of the present administration, in greatly increasing irrigation projects, that when completed will compete with the farmers who are now being paid to hold down production. The discontinuance of this program would prove helpful to the farmer already in business. The Government even allows the concerns promoting new irrigation projects to share in benefits along with the farmer who is already established; so, the Government is in the highly contradictory business of creating new farm projects, and then paying benefits so that they will be only partially operated.

Under the guise of conserving crude oil for future use, the present administration sponsored legislation which would authorize the States to limit the production of petroleum products. If there is any likelihood of an early depletion of this supply of fuel, a provision to require the dilution of gasoline with one-tenth or one-fifth of wood alcohol, to be manufactured from corn or other grains, would likely absorb all excess farm products. Thus a better fuel for motors would be provided, and a tremendous amount of grain and vegetation could be converted into this type of industrial alcohol.

In conclusion, first, if we could retain the present duties on farm products without the reductions made through present and future reciprocal agreements; second, increase some duties on farm products which are being imported in great quantities; third, allow our own farmers to produce cane and beet sugar to capacity; fourth, sharply curtail, if not wholly abandon, the reclamation program; and, fifth, promote the use of wood alcohol, we would be conferring real, definite, and beneficial assistance to agriculture.

One of the principal difficulties of the farm program within the past few years, including the present bill, is the basic principle of storing the surplus without making provision to absorb or dispose of such surplus. The foregoing suggestions concretely deal with the absorption of domestic surpluses and preventing surplus farm products from coming into the country. It is one thing to administer medicine to a patient, but the patient wants a cure instead of a constant dosage with prospects of being a permanent invalid.

During the last regular session I offered an amendment to a tax bill which if adopted would have increased the import duties now levied upon foreign farm products 25 percent. The proposal was supported by the Republicans, and with two exceptions the Democrats opposed the amendment which would have curtailed the large inflow of products from cheap land, cheap labor countries.

On several occasions, in committee and on the floor of the House of Representatives, I have opposed appropriations for funds to build more irrigation projects; likewise, I voted against the original measure to delegate to some subordinates in the executive branch of the Government the power to negotiate reciprocal-trade agreements without the consent of the Congress. When this measure was extended, at some length I again pointed out the harmful effects of these agreements on American agriculture, hence, these suggestions for

the betterment of our farming industry are now new to me, as I have severally offered to and discussed the same proposals with the Members upon prior occasions.

It is to be hoped that the leaders of public thought in our country, and especially those who are active in their efforts to bring about equality for agriculture, will study these proposals, which, if placed in operation, will not disturb the present soil-erosion program but will prove to be a sound basis in the solution of some of the major phases of our agricultural problem.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Nebraska [Mr. LUCKEY] is recognized for 3 minutes.

Mr. LUCKEY of Nebraska. Mr. Chairman and colleagues, before a final vote is taken on this farm bill I want to say just a few words which I have refrained from saying during the prolonged days of this debate. There has been a great deal of oratory, and there are some who believe that the passage of this bill will bring a permanent solution to our farm problems. I do not think that it will, although I admit there are some good features in the bill. I believe we are approaching the farm problem from the wrong angle.

I have farmed for many years myself and represent a district which is largely engaged in agriculture. No one is more anxious than I am to see farmers secure parity prices and to see farmers placed upon an equal basis with those engaged in other pursuits. It seems to be the opinion here that this bill will bring about those results, and I will not oppose any measure intended to help my people. At the same time, I want to make it clear that as far as I am personally concerned, the passage of this bill does not solve the farm problem. The fight has only begun, and this bill marks but one stage in the farmer's battle for economic equality.

There are some good features in this bill and some bad ones. The good should be saved and the bad eliminated, and I hope that this will be accomplished in conference before the bill is finally enacted. This bill represents only one approach to the problem we have before us. The theory and philosophy on which it is based to me seems fallacious. If this legislation brings about parity prices for these basic farm commodities, which I do not believe it will do, then we are in danger of losing our foreign markets. On the other hand, if it does not bring about parity prices, then the farmer is not getting what he is entitled to in justice and equity.

This legislation has now been debated by both the House and Senate for almost 2 weeks. Hearings have been held all over the country. The Agricultural Committees have been wrestling with it for months. The House has spent more time in debating this measure than it has devoted to any bill in 14 years. Yet apparently no one is satisfied with the bill. It is now evident that we are trying to solve this farm problem on the wrong theory. In the present state of the controversy it seems impossible to approach the problem in any other manner than that now under consideration. It appears that in order to get economically sound legislation we will have to learn through the costly process of trial and error. We could avoid many of the mistakes and much of the expense if we would take from this legislation the sound principles and combine them with the sound principles of the other plans that have been advanced. Such a combination of ideas and principles is not impossible and must be achieved if we are to have effected and economically sound farm legislation. [Applause.]

The CHAIRMAN. The gentleman from South Carolina [Mr. McMILLAN] is recognized for 3 minutes.

Mr. McMILLAN. Mr. Chairman, for the past 10 days the Committee of the Whole House on the state of the Union has been carefully considering the bill presented for our consideration by the Committee on Agriculture. I desire, along with other Members of the House, to pay tribute to Chairman JONES, of the committee, and his associates for their laborious work in undertaking to present to us for our consideration a bill of such magnitude.

Mr. Chairman, I have endeavored during these 10 days to listen to the debate and to study the provisions of this bill. All of us recognize the enormity of this problem. There are various farm commodities involved in which every Member of Congress from one section or the other of the country is greatly concerned. I wish it were possible for me, representing, as I do, a great district of the South, to support this bill; but title II of the bill, where the compulsory features are provided and where control and direction, indirectly though it may be, come from Washington, undertaking to tell the farmers of this country whether they plant cotton, corn, or tobacco, or any other commodity covered in this bill, I think is fatal, and certainly against the principles of our form of government. [Applause.]

The farmers of my State are in a large measure considered as small farmers. Since the days of the Revolution, they have been independent of any outside forces or spasmodic Santa Clauses. It is true that they have not accumulated fortunes, but in their own way have somehow been enabled to make ends meet; have reared their families, and made good citizens. I do not believe that the liberty-loving farmers of my State, or of any State in the Nation, are now willing to surrender that liberty and independence which they have enjoyed for more than a century to any strait-jacket methods, or control emanating from Washington, telling them how much cotton they can or cannot plant, what they must do with their acres which are not planted, prohibiting them from grazing their cattle on idle acres, or any other dictatorial authority exercised over them by any set of individuals clothed with bureaucratic authority to take away from a man his inherent liberties guaranteed under the Constitution. I do not think the time has yet arrived in this country where the farmers of this Nation are willing to admit that planned scarcity is essential to their welfare, when there are millions of people in America wanting food and needing clothes.

Take my own State of South Carolina. In 1918 she planted approximately two and one-half million acres in cotton. In 1937 this had been reduced to 1,900,000 acres, and, if I am correctly informed, this bill will lop off an additional 317,000 acres. South Carolina has increased her grade and staple of cotton until now more than 95 percent grades middling fifteen-sixteenths or better. The third largest textile center in the world, her mills are spinning this high-grade cotton; and yet, with our mills spinning more than three-fourths of a million bales more than we raise, we are told that we must now further curtail our crop. This is economically unsound. Our farmers can deliver their cotton to the mill doors; get a premium upon their grade and staple; get the benefit of excessive freight hauls, storage, insurance, and other charges which are imposed upon this identical cotton when brought from distant States; and yet in the face of these facts within the past few months a shipment of Brazilian cotton of more than 2,500 bales was laid down at the Pacific Mills in Columbia, S. C., when our warehouses and compresses within the very shadows of these identical mills were bulging with cotton. So I say something is economically wrong when a situation like this exists.

This year's crop amounts to more than 18,000,000 bales. Our southern labor is now geared to an 18,000,000-bale crop, and if the farmers of the South are regimented to the extent that is proposed by the terms of this bill we can expect a crop of only twelve or fourteen million bales at the most—what is the situation we then face? With a reduction of approximately one-third of our cotton crop it means that one-third of the labor of all factors entering into the handling of cotton, cottonseed, and its byproducts, must seek employment elsewhere. This means the reduction of labor in all of our gins, oil mills, compresses, railroads, refineries, trucking lines, stevedores, steamship lines, cotton merchants, cotton factors, and many other industries which are directly affected thereby. This labor cannot be absorbed by southern industry for the very simple reason that there is not enough

southern industry to absorb it in the first place, and in the second place the labor is of such a type that it is unfitted for any industrial pursuits. Thus we will have approximately 1,500,000 people in the South who are going to be out of employment if this drastic control measure is applied to the cotton-producing States. I need not quote from the records, for every Member in this body knows far too well how much it will cost the Government if we are forced to extend relief to this great army of unemployed, not to mention the economic loss which will necessarily follow their enforced idleness; and, greater than all of this, the destruction of the morale of worthy citizens of our country who want, and are willing, to work, but who by their Government are forced on the dole.

Suppose for the sake of argument that our cotton crop next year is reduced to 10,000,000 bales, by reason of control production and that this crop brings as much as 12 cents a pound, which, I submit, is most optimistic, the farmers of the South would then have an income of \$600,000,000. With the soil-conservation payments estimated at \$125,000,000, their total income would be \$725,000,000. Compare this with the crop of today of 18,000,000 bales at 8 cents a pound, which would bring \$720,000,000, and with the subsidy and the payments made them amounting to \$220,000,000, the cotton farmers' income this year would amount to \$940,000,000. Here is an actual loss, under the proposed control method, amounting to \$215,000,000, not to mention the cost of administration by the Government. If there is any logic, reason, or common sense in this type of legislation, I am unable to find it.

Price pegging has proved to be the ruination of the cotton farmer and while it seemingly may have helped him temporarily, it has been the one factor which has caused our exports to diminish from 7,861,000 bales, 1932-33, to 3,000,000 bales, 1937-38, or a net loss of over 4,800,000 bales. It is well to remember also that for every five bales of cotton lost in our foreign market one southern family goes on relief.

The United States is now a creditor Nation and you know how this affects our foreign markets. Cotton composes, in normal times, the major portion of our exports and is the one factor which has more to do with our balance of trade than all of the rest combined. It is one of the few products which is an absolutely necessary element in the lives of the peoples of the world, and yet, by pegging our price of cotton beyond the world market, thereby making it impossible for foreign nations to purchase the same, we have, as a result, seen foreign production increase from 10,652,000 bales of cotton in 1932-33 to 20,000,000 bales in 1937-38. Now, mark you, this tremendous increase in production was made during the time when we had production control and loans beyond the world market price. If there is one salvation for the cotton-growing South, it is to regain and maintain its foreign markets for its one crop, of which approximately 40 percent is consumed locally and the other 60 percent must go into the channels of the world's trade, under normal conditions that formerly prevailed.

I am reliably informed that all things considered, American-grown cotton enjoys a premium over a majority of cotton grown elsewhere in that it has a greater tensile strength and the general character of spinning exceeds that of other cotton.

With the reciprocal-trade agreements, which are now being conducted and consummated by one of the ablest Secretaries of State this Government has ever had, I have every reason to believe that if American cotton is allowed to again take its place in open competition with the world's market that it will soon regain that commanding position and prestige which it has formerly enjoyed.

Mr. Chairman, I now desire to address myself for a few moments to a remedy for this problem as I see it: The southern farmer for 100 years has been purchasing everything that he buys in a highly protected market and has sold the products of his labor, as everyone knows, in an unprotected market. All of us know that it would be disastrous to the industrial sections of our country to attempt at one fell

swoop to destroy the tariff walls. I believe there is not a man on the floor of this House who does not see the injustice and the unfairness to the agricultural South by reason of our existing tariff wall. In my judgment it is a legal obligation, not to mention the moral or the equitable side, for the Government to give to the cotton-producing South an offset against this tariff market in which it must buy. It is my belief that a direct appropriation from the Treasury, from tariff receipts, if necessary, to the farmer will give him a parity price on his domestically consumed cotton as an equalizing factor, is the best possible solution of this problem. Then tell him that if he wants to raise more cotton, let him take his chance and sell it in the world market. With farmers in Brazil and European countries able to buy farm machinery from our American factories cheaper than the cotton farmer can buy it himself, is it not fair to give him this protection on his domestically consumed crop and thereby, in a measure, offset the tremendous disadvantages of competition which he has and, is now suffering, with foreign markets. With a guaranteed parity price payment he will then be in a position to go out and compete with the farmers of other cotton-producing countries over whom we have been literally holding an umbrella by pegging our price beyond that of the world market.

Our cotton farmer has the intelligence, the initiative, the ingenuity, and the good common sense to compete with any farmers anywhere in the world, and if given a fair chance and a square deal I am confident he will be able to thereby regain, to a great extent, the export market which we have lost by these ill-conceived policies which we have been following for the past few years. If done, our relief rolls will vanish not only from the farms but from every other factor which in any manner comes in contact with the production and processing of the great white crop of the South.

In conclusion, Mr. Chairman, may I state that, in my judgment, all the farmer asks of this Government is a square deal. The farmers of America have been the most independent of our entire citizenship since this Republic was founded. They have been that great cross section of our population which has steadied the Nation in times of stress. It is they who have always rallied to the defense of our country in times of danger. It is they who furnish every ounce of food, all of the wearing apparel, and all of the absolute necessities of life for our 129,000,000 people. Is it fair to place this great liberty-loving group of citizens in a strait jacket of regimentation when they are asking of you only the chance to make an honest living under equalized economic conditions, when they are saying to you, "Take the products of our labors, send them to foreign countries, recoup for us our lost foreign markets, and bring back to the South that prosperity which she has enjoyed in years gone by"? They are saying, Mr. Chairman, to the farmers of the West and Midwest, "Do not force us to abandon our fields of cotton and plant them in corn, wheat, potatoes, and other products which will be in competition with you; we are now to you what the export market is to us, we absorb and pay for the surplus products and we do not want to go into forced competition with you, for we are all Americans under one Nation, one flag, one common heritage, and we want to live as good neighbors. We do not want enforced on us a policy which will make it necessary for us to grow that which we now buy from you, and all we ask of you and at your hands is for our common Government to give us those equalized factors which will put us on the same economic plane."

Mr. Chairman, do this, and I feel that the farm problem will adjust itself, that peace and contentment will again reign throughout the Nation, and the fields of southern cotton will again blossom as a rose.

[Here the gavel fell.]

Mr. STEFAN. Mr. Chairman, in the closing minutes of this debate, I rise to ask a question of the ranking member of the Committee on Agriculture, whether or not if this bill is defeated in the House the soil-conservation program, as is, will continue?

Mr. GILCHRIST. It will.

Mr. STEFAN. And my farmers will continue to get benefits through the soil-conservation program?

Mr. GILCHRIST. Yes.

Mr. SHORT. They will.

Mr. STEFAN. And will be allowed to borrow money on their crops?

Mr. GILCHRIST. It is not certain that they will be allowed to borrow money, but the probability is they will be.

Mr. STEFAN. Mr. Chairman, the farmers in my district are in favor of the principles of the voluntary soil-conservation program. They want to conserve the soil. They want to provide you with an ever-normal granary, and they want parity prices. They have gone into this under a voluntary program. They want a voluntary program and not a compulsory program. They have told me they are against being bossed, and they will not stand for being bossed.

There has been great controversy and a lot of questions have been asked whether or not the various farm organizations are for this program. The Farmers Union is not for it as it is written. Neither is the Grange. Neither are some of the cooperatives in the dairy industry. Today, I am reliably informed, a telegram has been sent to some Members of this House from Mr. Earl Smith, vice president of the Farm Bureau Federation, saying that he is not for this particular bill. These three farm organizations are not for it. We already have a program which is voluntary and under which our farmers can have benefits, the Soil Conservation Act.

Here we have all of these great farm organizations telling us not to be too hasty in passing permanent farm legislation upon which the farmers themselves are not agreed. These organizations represent practically all of the farmers for whom we are trying to pass a law, a law under which their present and future lives and activities will be affected.

We have here many suggested amendments which would improve this legislation. We have here amendments which would result in protecting the American market for the American farmer. This idea the committee has not placed in the proposed bill. There is not one word in the bill as to how our own farmers' market is to be protected against importations of the products of foreign farms which are coming to us in such gigantic quantities. There is not one word in the bill about how we should safeguard our own farmers from being forced to sell their own products at world prices. There is not one word on safeguarding the domestic price or American price to our own farmers. All we see here is a demand to "hurry up and pass this bill," ignoring the demands of farmers and farmers' organizations for helpful amendments. We hear even members of the committee admitting they do not understand the bill. How, in heaven's name, can you really expect the real farmers out there in my district of Nebraska to understand it? There is absolutely no need to be in such haste on permanent farm legislation. Do not let us write a bill with so many penalties, legal terms, rules and regulations, and court proceedings that even a Philadelphia lawyer cannot understand them.

In the last few years, farmers in my district have been forced to sign contracts and agreements, the wording of which neither they nor the officials charged with the duty of carrying out the rules and regulations could understand. I beg of you that if you do write laws to regulate the lives of farmers, please write these laws so that the real farmer knows just exactly what those laws and rules mean.

It is admitted here by a ranking minority member of this Agricultural Committee, who favors the bill as is, that without it my farmers can still enjoy the benefits of the present soil-conservation program. He admits that they can still borrow money on the security of their farm crops. This voluntary program which they now favor, in my opinion, can act as a stopgap until we give serious consideration to a permanent farm program, a program which will meet the approval of the farmers affected and the farm organizations

representing these farmers. Because I think that there will be absolutely no benefit to the farmers through this incomplete and hasty legislation, I ask that the bill be sent back to the committee for further and more serious consideration.

This is supposed to be the greatest deliberative body in the world. We are now legislating to directly affect the lives and the business of not less than one quarter of our population. I have attended every minute of these debates and deliberations on this farm legislation. I have read every page of the bill and all of the proposed amendments. I have thumbed through the hearings of the committee and read all of the reports. I have but recently returned from my own district where I personally visited 20 of my 22 counties and where I discussed these matters with the farmers themselves. I feel I know what they want and what they need and I feel that they sent me here with full confidence that I would vote my honest convictions on any legislation affecting them. Therefore, Mr. Chairman, notwithstanding the fact that I am tremendously anxious to vote for a permanent farm bill which will benefit the farmer, I feel that unless this bill is recommitted to the committee for further deliberation in order to make it perfect, or as near perfect as possible, I shall have to oppose it. I do this with great reluctance because I sincerely sympathize with the committee which has worked on this bill for many weeks. It is my sincere hope that after this bill passes the House, as in my opinion it will, the House and Senate conferees who will eventually write this bill, will bring us permanent farm legislation to which I can conscientiously subscribe.

The CHAIRMAN. The gentleman from Iowa [Mr. HARRINGTON] is recognized for 3 minutes.

Mr. HARRINGTON. Mr. Chairman, as the representative of a district in which corn-hog farming is the principal industry, I can see little of benefit to the people of Iowa in the pending farm bill, except possibly a brand new bale of red tape. Therefore, I think the bill should be recommitted and the Committee on Agriculture respectfully asked to bring out one of the other bills which gets right into the meat of the matter and absolutely gives the farmer the one thing he wants—and that is a price for his products approaching the cost of production.

I have a bill pending which, without mincing 87 pages of words, provides that the farmer shall receive parity prices for the products of his soil and toil, and further provides a definite method for him to secure such a price. On the other hand, my colleague from Iowa [Mr. EICHER] and Representative MASSINGALE of Oklahoma have had a bill in the House for several years that goes a step further than mine and fixes farm prices at real cost of production. Because their bill is better known and in the interest of harmony among the real friends of the farmer in this chamber, I am willing to subordinate any possible pride of authorship and to vote wholeheartedly in support of the Eicher-Massingale bill.

In justice to the Committee on Agriculture, however, I first want to point out two principal reasons why the pending bill offers little of interest to the corn-hog farmer.

First. The mandatory loan feature has been stricken out, and it is left to the discretion of the President and the Secretary of Agriculture when and whether crop loans are to be made. That is just about what we have already. In fact, a 50-cent corn loan was just recently authorized, but so far it has proved of little benefit to the people of my district. The price of cash corn delivered at the elevator remains around the 40-cent mark.

As an illustration, I just noticed today an advertisement in the Spencer (Iowa) Reporter by a used-car firm which offered to allow the farmers "up to 50 cents a bushel" for their corn in a trade-in deal on a second-hand car. Mind you, they do not offer 50 cents—merely "up to 50 cents"! And what does the farmer get in return? He gets an allowance on a second-hand automobile—in other words, a chance on a pig in a poke. This gives you some idea of the present

status of corn prices in the State of Iowa. Consequently, we do not want 50-cent loans "at the discretion of anybody." We want loans based on parity, or, if we can get it, on the cost of production; and we want authority for those loans written into law.

In the second place, the pending committee bill provides for marketing quotas, with price stabilization only when the crop is indicated to be 15 percent above normal, carry-over considered. Well, we have figured out, in the case of corn, that under this bill we would have price stabilization only in years when production reached the astounding volume of 2,900,000,000 bushels, or some 20 percent above a bumper crop. This production would be attained on an average of only about once in 10 years. Do we want price stabilization 1 year in 10, or do we want it every year? I think the farmer knows the answer to that one, even if some of our colleagues do not.

Now, as to the Eicher-Massingale bill, it is a good bill; it is a two-price bill; and incidentally it practically pays its own way. It calls for cost of production on every bushel of corn and every bale of cotton and every other principal commodity consumed on the domestic market, and for the dumping of surpluses at world prices.

Yes; some of my friends will say, "But it is price fixing," and throw up their hands in holy horror at such an idea. Well, what if it is? Have not we already authorized price fixing for coal, and does not Government fix freight rates, and are we not currently being asked to do a little price fixing on behalf of the underdog in industry? Mind you, our farmers are not asking for a 40-hour week, or a 50-hour week, or even an 80-hour week. All they are asking is a decent price for their toil and investment, and they will continue to work from sun-up to sun-down without complaint in order that not two-thirds but three-thirds of our Nation may be properly fed and clothed.

Pass this bill—or, if it is too radical for some of you, substitute parity prices for cost of production—and we will really revive buying power on the farm. Throughout our economic history agricultural buying power has been the driving force behind industrial expansion, plentiful employment, good wages, and the "full dinner pail." Therefore, my friends from the cities and industrial areas, if you are looking for a real cure for "recession" instead of patent medicines and governmental "shots in the arm," I simply ask that you give consideration to this old family prescription, which has proved a tried and true remedy from George Washington's time on down. Give the farmer buying power and you will not have to worry about empty smokestacks and industrial breadlines. I thank you. [Applause.]

The CHAIRMAN. The gentleman from Texas [Mr. JONES] is recognized for 2 minutes.

Mr. JONES. Mr. Chairman, I yield back my time.

The CHAIRMAN. All time on this section has expired.

Mr. MASSINGALE. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. MASSINGALE: Strike out all after the enacting clause and insert the following as a substitute for the bill.

Mr. JONES. Mr. Chairman, I desire to reserve a point of order against the amendment. It is not my present intention to make the point of order. I certainly expect to let the matter be discussed.

The CHAIRMAN. The gentleman from Texas reserves a point of order.

Mr. BOILEAU. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BOILEAU. Mr. Chairman, I make the point of order that a point of order cannot be reserved except by unanimous consent; and I object to such a request.

Mr. JONES. Will not the gentleman permit a discussion of the amendment?

Mr. BOILEAU. Yes, I would like to have it discussed if we are going to have a vote on it.

Mr. JONES. It is not my intention to make the point of order.

Mr. BOILEAU. I hope I can prevail on the gentleman to withdraw the point of order to give us an opportunity to discuss the bill and assure us of a vote on it. I understand it is the gentleman's intention to permit debate, but I appeal to the gentleman and to the Members of the House that we ought to have a vote on this amendment. That was my understanding. I certainly object to having discussion if it does not mean anything. If it means anything it should be discussed and allowed to come to a vote. I hope the gentleman will withdraw the reservation of the point of order.

Mr. JONES. Mr. Chairman, it is not my disposition to press the point of order. I reserved it only in case somebody felt they did not have an opportunity. I am not going to press the point of order at this time. I wish the gentleman would let us take that question up later.

Mr. BOILEAU. It would be too late then. I submit to the gentleman that I am in entire accord with him that there should be discussion of the amendment. I think it should be voted upon and that there should be very full discussion; but, if I can prevent it, I do not want full discussion to take place and then the gentleman from Texas make the point of order and have all of our time wasted and have the story go out to the American people that we have given consideration to this matter, when as a matter of fact we have not given it fair consideration.

Mr. JONES. I thought the gentleman, regardless of whether the point of order was made, wanted to have discussion of the amendment. I have no disposition to cut off discussion.

Mr. BOILEAU. The gentleman from Texas, however, intimates that the point of order will be made. I want to say that word has gone around the Capitol for the last 3 or 4 days that there was going to be a vote on this amendment.

Mr. JONES. Mr. Chairman, I do not object to having a vote on this amendment. I think we will save time if we do, because it would take 2 hours to settle the point of order.

Mr. FULLER. Mr. Chairman, I make a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. FULLER. Mr. Chairman, I make the point of order that the amendment is not germane to the bill.

Mr. JONES. Mr. Chairman, I hope the gentleman will not insist on his point of order.

Mr. FULLER. After discussing the bill as long as we have, everybody knowing what the measure is, everybody knowing what the substitute is, everybody knowing that the amendment is not going to be adopted, to spend 2 hours discussing it, when it has already been discussed thoroughly, especially when we are going to be kept here until 10 or 11 o'clock tonight to pass this bill—and we do not care how late it is—I think is foolish, myself.

Mr. JONES. No; I think we shall be through by 6 o'clock.

The CHAIRMAN. The gentleman from Arkansas [Mr. FULLER] has made a point of order, which the Chair will ask him to withhold temporarily until the amendment is either read or its reading is dispensed with.

Mr. FULLER. Mr. Chairman, I withhold the point of order temporarily.

Mr. JONES. Mr. Chairman, I ask unanimous consent that the reading of the amendment be dispensed with.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. PHILLIPS. Mr. Chairman, reserving the right to object to ask a question of the chairman of the Committee on Agriculture, how long will it take to read the amendment?

Mr. JONES. It will take probably 8 or 10 minutes.

Mr. PHILLIPS. Then I think it ought to be read.

Mr. JONES. Printed copies are available.

Mr. PHILLIPS. Mr. Chairman, I withdraw my reservation of objection.

Mr. ROBSION of Kentucky. Mr. Chairman, I object. I want to hear the amendment read.

The Clerk read as follows:

Amendment offered by Mr. MASSINGALE: Strike out all after the enacting clause, and insert the following as a substitute for the bill:

"TITLE

"SECTION 1. That this act may be cited as the Agricultural Equality Act of 1937.

"FINDINGS OF FACT AND DECLARATION OF PURPOSE AND POLICY

"Sec. 2. That the following facts are found to be established:

"(a) That the stability of agriculture and the prosperity of those engaged therein are essential to the national public welfare;

"(b) That the periodic recurrence of domestically unmarketable surpluses of agricultural products, the fixing in speculative markets of the prices paid to the producers of such products, and the violent and unjustified fluctuations in such prices cause disastrous dislocations and interruptions in commerce and in the adequate distribution of the necessities of life among consumers, all greatly detrimental to the national public welfare;

"(c) That the money return to farmers has at all times been greatly deficient and out of harmony with the money returns derived in other pursuits, resulting in the inability of the farmers to buy in necessary volume the products and services of other economic groups;

"(d) That unfair competition, through seasonal and speculative price discrimination and otherwise, exists in the purchase of agricultural commodities from the producers thereof;

"(e) That the facts found in subsections (b), (c), and (d) hereof constitute a burden upon and interference with interstate and foreign commerce; and

"(f) That Congress has the power to regulate commerce in agricultural commodities with foreign nations and among the several States.

"It is therefore and hereby declared to be the purpose and policy of the Congress—

"(1) To raise and restore permanently the money return for agriculture;

"(2) To stabilize the agricultural industry on an equitable money basis with other industries;

"(3) To prevent unfair competition in the interstate and foreign marketing of agricultural products;

"(4) To provide warehouse reserves and an ever-normal granary against droughts, floods, and other emergencies; and,

"(5) In furtherance of the foregoing objectives, to invoke its constitutional power, (a) to regulate interstate and foreign commerce in all agricultural commodities within the provisions of the act; and (b) to provide for the general welfare.

"DEFINITIONS

"Sec. 3. (a) For the purposes of this act a 'transaction' in respect to any commodity shall be considered to be in interstate commerce if such commodity is part of that current of commerce that is usual in the industry or industries engaged in the handling of such commodity whereby such commodity (and its products) are sent from one State with the expectation that they will end their transit, after purchase, in another, including, in addition to cases within the above general description, all cases where purchase or sale is either for shipment to another State or for manufacturing, milling, processing, packing, slaughtering, ginning, compressing, or in any manner handling or converting such commodity or any part thereof within the State and the shipment outside the State of the products resulting therefrom. Articles normally in such current of commerce shall not be considered out of such current through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this act.

"(b) The terms 'warehouse reserves' and 'ever-normal granary' as herein used are defined as being such quantity of each agricultural product as should be held in storage against droughts, floods, hailstorms, or other agricultural calamities.

"(c) The term 'agricultural products' as used in this act shall include farm products of the soil, poultry, and livestock, and the processed products and byproducts thereof, yielding exportable surpluses, except those that are perishable.

"(d) 'Producer' as used in this act shall mean the original producer of agricultural products.

"DETERMINATION OF COST OF PRODUCTION

"Sec. 4. The Secretary of Agriculture shall ascertain and determine for each year the average cost of production to farmers of all agricultural products included within the provisions of this act and all other agricultural products. Such average cost of production shall be determined after public hearings, participated in by the representatives of farmers' organizations, and all items of cost, including all taxes and other overhead charges, shall be estimated and included in accordance with the formula and method commonly used in the manufacturing industry. The Secretary of Agriculture shall consider the average individual farm as a business unit, and shall, among other things, include compensation to farm operators for management and for labor for themselves and their families and hired help, equal to the compensation paid for like time and services in industry, together with adequate allowances for depreciation of soil, improvements, buildings, equipment, stock-breeding animals, and work animals. He shall also determine the fair and reasonable property investment value, not necessarily the market value, devoted to the production of such agricultural products, using the official census data so far as possible, and calculate a capital return of 4 percent upon the investment value thus determined. He shall also calculate the average yields and production

during the previous five-year period in determining the average cost-of-production prices. If necessary, in order to carry into effect the purposes of this act, the Secretary of Agriculture shall further ascertain and allow an equitable differential against varying transportation costs to different markets and shall establish appropriate zones or classifications therefor.

"OTHER DETERMINATIONS

"Sec. 5. The Secretary of Agriculture shall annually ascertain, determine, and designate the beginning and the ending of the marketing year of each of the agricultural products included within the provisions of this act and shall estimate the volume of production for the current year of each of such agricultural products. He shall also annually estimate (1) the quantity and percentage of the total volume marketed from farms that is required for domestic consumption and is to be distributed in the current of interstate commerce; (2) the quantity and percentage to be distributed in intrastate commerce affecting the price of the portion to be distributed in the current of interstate and foreign commerce; (3) the quantity and percentage remaining that shall be held in warehouse reserves or an ever-normal granary: *Provided*, That the quantity and percentage so estimated for any one year shall not exceed 3½ percent, nor shall the total quantity and percentage held exceed 10 percent of the total estimated production; and (4) the quantity and percentage of the total that will remain for export.

"PROCLAMATION BY THE SECRETARY OF AGRICULTURE

"Sec. 6. (a) The Secretary of Agriculture shall thereupon, prior to such beginning of the marketing year of each of such agricultural products, make public proclamation and announcement annually of such determination of such average-cost-of-production prices of each of such agricultural products and of the domestic production and consumption, export, and warehouse reserves, totals, and percentages aforesaid, and of the amounts thereof as so determined, and of the date when, and the period during which, the same shall be controlling, as provided herein, upon the sale, purchase, and the handling of each such agricultural product; and upon request shall furnish detailed information to all dealers, manufacturers, millers, elevator operators, processors, packers, butchers, ginners, compressors, and other agencies dealing in or handling such agricultural products in interstate or foreign commerce.

"(b) Domestic price: After the applicable effective date, all said dealers, manufacturers, millers, elevator operators, processors, packers, butchers, ginners, compressors, and other agencies shall pay to the producers of such agricultural products not less than such average-cost-of-production price, determined and proclaimed as aforesaid, for such percentage of each delivery of such agricultural product as is not estimated for export or for ever-normal granary or warehouse reserves.

"(c) Licenses: No dealer, manufacturer, miller, elevator operator, processor, packer, butcher, ginner, compressor, or other agency dealing in or handling any of such agricultural products in interstate or foreign commerce shall operate as such dealer, manufacturer, miller, elevator operator, processor, packer, butcher, ginner, compressor, or agent dealing in or handling such agricultural products without first procuring from the Secretary of Agriculture a license pursuant to such regulations as the Secretary of Agriculture may prescribe: *Provided*, That no license shall be required of any producer under the provisions of this act.

"(d) Surplus receipts: When any producer of agricultural products within the provisions of this act shall deliver any such agricultural products to any such dealer, manufacturer, miller, elevator operator, processor, packer, butcher, ginner, compressor, or any other agency dealing in or handling such products, the Secretary of Agriculture shall cause to be issued to such agricultural producer two receipts, one showing on its face the quantity and grade of such percentage of such agricultural product as is proclaimed by the Secretary of Agriculture to be the percentage and quantity of the said agricultural product that is required for warehouse reserves or ever-normal granary, and the other showing the export quantity, grade, and percentage. The said receipts which the Secretary of Agriculture has so caused to be issued shall be signed by him and countersigned by such dealer, manufacturer, miller, elevator operator, processor, packer, butcher, ginner, compressor, or other agency dealing in or handling such agricultural products, for purposes of identification, and shall be delivered to such producer at the time of such delivery of the agricultural product by the producer to such dealer, manufacturer, miller, elevator operator, processor, packer, butcher, ginner, compressor, or other agency.

"MARKETING OF SURPLUS

"Sec. 7. At such reasonable time as the Secretary of Agriculture may direct, the said dealers, manufacturers, millers, elevator operators, processors, packers, butchers, ginners, compressors, and other agencies dealing in or handling such agricultural products shall deliver to the Secretary of Agriculture all of the warehouse reserves and export quantities and percentages of agricultural products in the kind and grade as receipted or in processed or converted form as hereinafter provided. If and when authorized by the Secretary of Agriculture, bills of sale evidencing storage of such surplus quantities and percentages on farms, under seal, will be accepted by such agency in lieu of the physical delivery of the property. In the case of livestock and poultry, the packers and also the butchers, after processing the same, subject to Government

inspection, shall make delivery of the warehouse reserves and export quantities and percentages in the form of livestock or poultry products: *Provided*, That the butchers may deliver their warehouse reserves and export quantities and percentages through packers, and the Secretary of Agriculture shall pay the reasonable cost of processing; and the same provision shall apply to dairy products and the processors and converters thereof. If unable to make reasonable and satisfactory arrangements for such processing or converting, then the Secretary of Agriculture shall purchase the proper equipment and facilities therefor, and with the right of condemnation to acquire the necessary real estate. The Secretary of Agriculture shall provide, by rental, purchase, or construction, or by condemnation in State or Federal courts, the necessary storage and terminal facilities for handling the warehouse reserves and export quantities and percentages, and shall withhold same entirely from the domestic market, except for such emergencies as herein-after authorized and provided, and shall hold and dispose of same to the best advantage in any world market, and after proclamation and upon request of the Secretary of Agriculture the Post Office Department shall, at the end of the marketing year, redeem the receipts for export percentages in the net amount realized for each product after deducting all costs and expenses of handling and disposing of the same as determined and proclaimed by the Secretary of Agriculture. Receipts for reserve percentages shall be redeemed in manner aforesaid when and only after such reserve percentages are sold and at the net price realized therefor, but to the extent same may be used for agricultural relief purposes without compensation, there shall be no redemption.

"Ever-normal granary: The Secretary of Agriculture shall hold in storage the percentages and quantity estimated for warehouse reserves and ever-normal granary as a reserve against agricultural emergencies, occasioned by floods, droughts, pestilence, or other calamities, and the same may be disposed of for such agricultural-relief purposes as the Secretary of Agriculture may determine.

"National equalization: If in any State the demand for domestic consumption is greater than the national estimated percentage, the Secretary of Agriculture is authorized to supply the deficiency out of the export-surplus percentage from any other convenient State at the cost of production price plus transportation, storage, and handling charges, and it shall maintain a national balance by purchasing upon the same terms like amounts from the percentage estimated for domestic consumption in States where the demand for domestic consumption is less than the national estimated percentage.

"Adjustment of supply to demand: If the quantity and percentage estimated for domestic consumption should be insufficient to supply the domestic demand, the Secretary of Agriculture is authorized to supply such shortage out of the export-surplus percentage at the cost-of-production price, plus storage and expenses.

"FINANCING REDEMPTION OF SURPLUS RECEIPTS

"Sec. 8. The Secretary of Agriculture is authorized to advance, from time to time, to the Postmaster General such sums as are shown to be required for the redemption of such receipts as provided herein and for the expenses of the Post Office Department in connection therewith. At the request of the Secretary of Agriculture, the Postmaster General, under such regulations as he may prescribe, shall require the employees of the Post Office Department to perform, without extra compensation, such fiscal-agency services as may be required in the handling, safekeeping, and redemption of said receipts.

REGULATIONS

"Sec. 9. The Secretary of Agriculture is hereby directed to prescribe regulations for carrying out the provisions of this act. The regulations prescribed pursuant to this act shall include requirements with respect to the issuance of licenses to dealers, compressors, manufacturers, millers, elevator operators, processors, packers, butchers, or other agents dealing in or handling such agricultural products in interstate or foreign commerce, system of accounts, auditing of accounts to be kept by licensees, submission of reports by them and the entry and inspection by the duly authorized agents of the Secretary of Agriculture of the places of business of such licensees.

"PENALTY FOR VIOLATING PROVISIONS

"Sec. 10. Any person, dealer, compressor, manufacturer, miller, elevator operator, processor, packer, butcher, or other agent, dealing in or handling such agricultural products, who violates the provisions of this act by knowingly and willfully paying less than the average cost of production prices so determined and proclaimed by the Secretary of Agriculture, shall be punished by a fine not exceeding \$1,000 or imprisonment not exceeding 1 year, or by both such fine and imprisonment.

"PROTECTION OF EXPORT MARKETS

"Sec. 11. The Secretary of Agriculture is directed to protect all foreign markets for the exportable surplus of agricultural products now being held or hereafter acquired by exporters and cooperative organizations, and for that purpose is directed to furnish the necessary products, when available, at the net price to farmers as herein provided.

"TARIFF ADJUSTMENTS

"Sec. 12. The President of the United States, the Secretary of Agriculture, the Secretary of the Treasury, the Secretary of State,

and the Secretary of Commerce are directed to cooperate in exercising their lawful powers, through the medium of foreign-trade agreements and through other appropriate measures for restriction or expansion of imports of competing agricultural commodities their converted or processed products, their byproducts, or competing substitutes, to maintain the prices to farmers for the domestically consumed quantities and percentages of all agricultural commodities as nearly as may be within a range not exceeding 10 percent above the proclaimed cost-of-production price level: *Provided*, That the United States Tariff Commission upon request of the President or upon resolution of either or both Houses of Congress or if agricultural imports are substantial and increasing in ratio to domestic production and if in the judgment of the Commission there is good and sufficient reason therefor, then, upon its own motion or upon the request of the Secretary of Agriculture or upon application of any interested party, shall investigate the differences in the costs of production of any domestic agricultural commodity and of any like or similar foreign agricultural commodity and shall recommend to the President such an increase (within the limits of section 336 of the Tariff Act of 1930) in the duty upon imports of the said foreign commodities or such a limitation in the total quantity permitted entry, or entry without increase in duty, as it may find necessary to equalize the said differences in cost and to maintain the standards established pursuant to this act. In the case of a commodity on the free list in the Tariff Act of 1930, it shall recommend, if required for the purposes of this section, a limitation on the total quantity permitted entry. The President shall by proclamation approve and cause to be put into effect the recommendations of the Commission if, in his judgment, they are warranted by the facts ascertained in the Commission's investigation: *Provided further*, That all provisions of title III, part II, of the Tariff Act of 1930, applicable with respect to investigations, reports, and proclamations under section 336 of the said tariff act, shall, insofar as they are not inconsistent with this section, be applicable with respect to investigations under this section. Nothing in this section shall be construed as permitting action in violation of any international obligation of the United States. In recommending any limitation of the quantity permitted entry, or entry without an increase in duty, the Commission, if it finds it necessary to enforce such limitations or to carry out any of the provisions of this section, shall recommend that the foreign commodity concerned be forbidden entry except under license from the Secretary of Agriculture and that the quantity permitted entry, or entry without an increase in duty, shall be allocated among the different supplying countries on the basis of the proportion of agricultural imports from each country in a previous representative period. Any proclamation under this section may be modified or terminated by the President whenever he approves findings submitted to him by the Commission that conditions require the modification recommended by the Commission to carry out the purposes of this section or that the conditions requiring the proclamation no longer exist.

"SEPARABILITY CLAUSE

"Sec. 13. If any provision of this act is declared unconstitutional, or the applicability thereof to any person, circumstance, or commodity is held invalid, the validity of the remainder of this act, and the applicability thereof to other persons, circumstances, or commodities, shall not be affected thereby."

Mr. FULLER. Mr. Chairman, I renew my point of order.

The CHAIRMAN. The gentleman from Arkansas makes a point of order against the amendment offered in the form of a substitute. Does the gentleman from Oklahoma [Mr. MASSINGALE] desire to argue the point of order?

Mr. MASSINGALE. Mr. Chairman, I believe I am sufficiently advised with reference to the rule to be compelled to say that if the point of order is insisted upon the Chair perhaps will sustain it as to germaneness; therefore, as far as I am concerned, I am ready for the Chair to rule.

The CHAIRMAN (Mr. WARREN). The Chair is ready to rule.

The bill under consideration is a bill to regulate the marketing of domestically produced farm products.

The substitute offered by the gentleman from Oklahoma [Mr. MASSINGALE] provides among other things, that the Secretary of Agriculture shall determine the cost of production of such agricultural products and shall issue a proclamation to that effect.

It further provides that after that proclamation has been issued all dealers, manufacturers, millers, elevator operators, processors, packers, butchers, ginners, compressors, and other agencies shall pay to the producers of such agricultural products not less than such average cost of production price.

There is a further provision which provides for the licensing, not of the farmers, but of the dealers, manufacturers, millers, elevator operators, and so forth, and so forth.

There is also a provision, known as section 12 of the substitute, dealing with tariff adjustments, something entirely foreign to the bill now under consideration by the House.

The Chair has before him a decision rendered by the late Speaker Rainey, which may be found in Cannon's Precedents, volume VIII, section 2969, in which he quotes decisions on this subject by present Members of the House, both on the majority and minority side. On account of the importance of the amendment offered by the gentleman from Oklahoma [Mr. MASSINGALE] and in fairness to him and the proponents of his substitute, the Chair feels that he should read an excerpt from the opinion of the late Speaker Rainey.

On April 13, 1933, a bill was under consideration to provide emergency relief with respect to agricultural indebtedness, to refinance farm mortgages at lower rates of interest, and to amend and supplement the Federal Farm Loan Act by the granting of credit through the Federal Land Bank System.

Mr. GERALD J. BOILEAU, of Wisconsin, moved to recommit the bill to the Committee on Agriculture with instructions to report it back forthwith with an amendment striking out all after the enacting clause and substituting a bill providing for the liquidation and refinancing of agricultural indebtedness by the expansion of the currency through issuance of bonds redeemable in Federal Reserve notes.

Mr. MARVIN JONES, of Texas, made the point of order that the amendment was not germane.

The Speaker, the late Mr. Henry T. Rainey, of Illinois, held as follows:

The question presented has been passed upon two or three times and presents nothing new. The bill under consideration provides a method of farm relief, essentially by the issuance of bonds, to be marketed in the ordinary way. The Frazier bill, which is the subject of the motion to recommit, provides also for farm relief, also for bond issues, and, in addition to that, provides a method of meeting the bond issues by currency printed and issued, clearly inflation, which may amount to as much as three and one-half billion dollars. The two methods are as wide apart as the poles.

The present Speaker of the House argued a like question back in 1924 when the very first farm-relief bill was under consideration, the first of the McNary-Haugen bills. That bill provided a method of farm relief, fixing farm prices with reference to related products, and the present Speaker of the House proposed an amendment to the bill which provided an entirely different method, and the present Speaker agrees with the gentleman from Texas when he said that his method was much better than the method provided in that bill; but that did not make any difference. A point of order was made against the amendment proposed by the present Speaker, by Mr. CANNON of Missouri, the author of Cannon's Precedents, and the gentleman from Missouri argued the point of order and convinced the Chairman of the Committee of the Whole, Mr. SANDERS, although he did not convince me, that my amendment was not germane. The object of my amendment then and the object of the bill under consideration at that time were to provide methods of farm relief, but they were widely different, although not as widely different as is proposed in the so-called Frazier bill and in the bill under consideration.

Again on April 24, 1929, the same question came up.

The Chairman of the Committee of the Whole at that time was Mr. MAPES. He rendered a decision based upon the decision rendered by Mr. SANDERS in 1924. The opinion by Chairman MAPES was a well-considered opinion covering the entire subject.

The Chair feels he cannot ignore the precedents that he has cited, and he might add that he could call attention to a number of others. The Chair, therefore, feels constrained to and does sustain the point of order.

In view of that decision and in view of the admitted fact that there is a wide distinction and difference in the two methods of approach, the Chair sustains the point of order made by the gentleman from Arkansas [Mr. FULLER].

Mr. JONES. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with various amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WARREN, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill

(H. R. 8505) to provide for the conservation of national soil resources and to provide an adequate and balanced flow of agricultural commodities in interstate and foreign commerce, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JONES. Mr. Speaker, I move the previous question on all amendments except the Boileau amendment.

The previous question on all amendments except the Boileau amendment was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BOILEAU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOILEAU. Will there be an opportunity for a separate vote on the Boileau amendment?

Mr. JONES. I may say to the gentleman I am about to ask for a separate vote on it.

Mr. BOILEAU. I confess I am not familiar with the procedure in the situation now before the House as to the effect of ordering the previous question on all amendments except the Boileau amendment.

The SPEAKER. The previous question has already been ordered by the House, thus bringing to an immediate vote all amendments except the so-called Boileau amendment. The gentleman from Texas is now demanding a separate vote upon certain amendments. The Chair will recognize the gentleman from Wisconsin to demand a separate vote upon his amendment if the gentleman from Texas does not do so.

Mr. LUCAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LUCAS. Mr. Speaker, during the debate on this bill in the committee, I offered an amendment to the loan section of the bill, to make it mandatory upon the Secretary of Agriculture to make loans upon corn, which was carried. Following that, the gentleman from Texas [Mr. PATMAN], offered an amendment, which was debated for approximately an hour and then voted down. Following that, the gentleman from Texas [Mr. JONES] offered an amendment which, as I recall it, deleted a portion of the language the committee had written in the bill originally, and also my amendment to such language.

Mr. Speaker, if a separate vote is called for upon the Jones amendment, and that vote should be in the negative, is the amendment of the gentleman from Illinois [Mr. LUCAS] at that time automatically revived, and would it be included in that section of the bill?

The SPEAKER. The Chair may state that the Chair can take parliamentary or judicial notice only of the action of the Committee of the Whole as reported by the Chairman of that Committee. Under the hypothesis set forth by the gentleman from Illinois, the Chair is of the opinion that under the circumstances as stated the amendment of the gentleman from Illinois would not automatically be before the House for consideration.

Mr. LUCAS. Do I correctly understand from the opinion of the Chair that the bill as written at the present time would be in order and would become the law in the event the House voted in the negative on the Jones amendment?

The SPEAKER. There are other considerations involved with reference to the passage of the bill and its becoming law. The Chair may state the only parliamentary question now pending before the House is upon the request for a separate vote on the amendments which were adopted in the Committee of the Whole. The Chair, of course, cannot anticipate what action the House will take upon the separate amendments. Any parliamentary inquiry with reference to any phase of the bill after such vote is had would have to be determined by the Chair at that juncture.

Mr. LUCAS. Do I understand I am premature in making this inquiry, Mr. Speaker?

The SPEAKER. The Chair is of the opinion the inquiry is not pertinent to the present parliamentary situation.

Mr. LUCAS. The inquiry was made in good faith but apparently is premature, and I beg the Speaker's pardon for taking the time of the House.

Mr. JONES. Mr. Speaker, I ask for a separate vote on four amendments.

I ask first for a separate vote on the so-called Ford amendment, striking out and inserting language on page 6, lines 5 to 17, inclusive. I also ask for a separate vote on a similar amendment which was offered by the gentleman from Mississippi [Mr. Ford], on page 4, line 21. This is a corrective amendment, and, inasmuch as it is a technical amendment made necessary by the other Ford amendment, I ask unanimous consent, Mr. Speaker, that the two amendments may be considered together.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. JONES. Mr. Speaker, I ask also for a separate vote on the so-called Boileau amendment, inserting language on page 9, line 4.

I also ask for a separate vote on the so-called Coffee amendment, which struck out part III of title III, relating to marketing quotas on wheat.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. LUCAS. Mr. Speaker, I demand a separate vote on the Jones amendment.

The SPEAKER. The gentleman from Illinois demands a separate vote on the Jones amendment, which he has described heretofore. For the purpose of the Record, will the gentleman cite to the Chair the page to which the amendment was offered?

Mr. JONES. Mr. Speaker, my amendment strikes out, beginning with line 14, on page 14, the remaining part of the paragraph down to and including line 9, on page 15.

Mr. BOILEAU. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BOILEAU. Mr. Speaker, the gentleman from Texas [Mr. Jones] has moved the previous question on all amendments except the Boileau amendment. I do not recall a similar situation since I have been a Member of the House, and I frankly confess I do not know the effect of the motion of the gentleman from Texas. I would appreciate it if the Speaker would explain to the Members of the House the present status of the Boileau amendment.

Am I correct in my understanding of the present situation that because of the previous question having been ordered on all amendments other than the Boileau amendment there is no longer opportunity for debate on such amendments, but that, the previous question not having been ordered on the Boileau amendment, there is opportunity for debate on it unless the previous question is ordered?

The SPEAKER. Unless the previous question is ordered on the Boileau amendment, if a Member should seek recognition to debate the amendment the Chair would recognize that right.

Mr. BOILEAU. If a motion for the previous question were made and the previous question ordered on the Boileau amendment, would that amendment then be in the same position before this body as the other amendments?

The SPEAKER. It would, except the previous question has already been ordered on the other amendments, and under the present situation the amendments upon which the previous question is ordered will be put to a vote and disposed of before the Boileau amendment is before the House for consideration.

Mr. BOILEAU. Mr. Speaker, I ask recognition now for the purpose of moving the previous question on the Boileau amendment.

Mr. JONES. Mr. Speaker, I do not yield to the gentleman for that purpose.

The SPEAKER. The previous question has been ordered on the other amendments and they will have to be disposed of first.

Mr. BOILEAU. Mr. Speaker, a further parliamentary inquiry, and I appreciate the patience of the Chair in this respect.

After the motion is disposed of, the previous question having been ordered on the other amendments, would it then be in order for me to seek recognition or would I be entitled to prior recognition to move the previous question on the Boileau amendment?

The SPEAKER. The Chair would be inclined to recognize the gentleman in charge of the bill first, if he desired recognition.

Is a separate vote demanded on any other amendment? If not, the Chair will put them in gross.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. As I understand, the only purpose of this procedure is that those who favor the Boileau amendment are expected to vote with the chairman on all the other amendments and the vote on the Boileau amendment will come last.

The SPEAKER. The Chair will state that it is not the duty of the Chair to undertake to interpret the purpose of motions.

Mr. COFFEE of Nebraska. Mr. Speaker, I demand a separate vote on the amendment to eliminate the marketing quotas on corn.

Mr. JONES. Mr. Speaker, that amendment was not adopted.

The SPEAKER. If the amendment was not adopted in Committee of the Whole, of course, it would not be in order to demand a separate vote.

Mr. BIERMANN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BIERMANN. Mr. Speaker, at page 14, the so-called Lucas amendment was adopted, providing for certain mandatory loans on corn. Sometime after that amendment had been adopted, the gentleman from Texas offered an amendment striking out all of section 201, beginning with line 14, on page 14, which included the so-called Lucas amendment. The gentleman from Illinois [Mr. Lucas] has asked for a separate vote on the Jones amendment to strike out. If the Jones amendment is voted down, does that put section 201 where it was immediately preceding the adoption of the Jones amendment?

The SPEAKER. The Chair would state in answer to the inquiry that in such a contingency the bill would be left in the form in which it was originally reported to the House by the Committee on Agriculture.

The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The Clerk will report both of the so-called Ford amendments.

The Clerk read as follows.

Amendments offered by Mr. Ford of Mississippi: On page 4, in line 21, after the second "and", insert "(except in the case of cotton)."

On page 6, beginning in line 5, strike out all down to the period in line 17, and insert in lieu thereof the following:

"(3) In the case of cotton, 95 percent of the State acreage allotment shall be apportioned annually by the Secretary among the farms within the State on which cotton has been planted at least once during the 5 years immediately preceding the year for which the allotment is made, so that the allotment of each farm shall be a prescribed percentage of the average (during such 5-year period) of the tilled acres of the farm, which percentage shall be the same for all farms in the State."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were rejected.

The SPEAKER. The Clerk will report the so-called Coffee of Nebraska amendment.

The Clerk read as follows:

Amendment offered by Mr. Coffee of Nebraska: In title III, strike out part III, relating to marketing quotas on wheat.

The question was taken; and on a division (demanded by Mr. Coffee of Nebraska) there were—ayes 96, noes 163.

Mr. COFFEE of Nebraska and Mr. ANDRESEN of Minnesota demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 219, answered "present" 1, not voting 36, as follows:

[Roll No. 12]

YEAS—174

Allen, Ill.	Fieger	Lemke	Rogers, Okla.
Amle	Fletcher	Lord	Rutherford
Andresen, Minn.	Forand	Luce	Sauthoff
Andrews	Ford, Miss.	Luckey, Nebr.	Schneider, Wis.
Arends	Frey, Pa.	McGehee	Secrest
Ashbrook	Gamble, N. Y.	McGroarty	Seger
Bacon	Gearhart	McLean	Shafer, Mich.
Barry	Gehrmann	McMillan	Short
Barton	Gifford	Maas	Simpson
Bates	Gingery	Magnuson	Smith, Conn.
Bernard	Gray, Pa.	Mapes	Smith, Maine
Bigelow	Green	Martin, Mass.	Smith, Wash.
Binderup	Greever	Mason	Snell
Boehne	Guyer	Massingale	Somers, N. Y.
Bolleau	Gwynne	Merritt	Stack
Boren	Halleck	Michener	Stefan
Brewster	Hancock, N. Y.	Moser, Pa.	Sutphin
Brown	Hart	Mosier, Ohio	Swope
Buck	Harter	Mott	Taber
Buckler, Minn.	Hartley	Norton	Tarver
Burdick	Hendricks	Oliver	Taylor, S. C.
Cannon, Wis.	Hill, Wash.	O'Malley	Taylor, Tenn.
Carter	Hoffman	O'Neill, N. J.	Teigan
Case, S. Dak.	Houston	Owen	Thomas, N. J.
Church	Hull	Patterson	Thurston
Clark, Idaho	Hunter	Peterson, Fla.	Tinkham
Clason	Imhoff	Peterson, Ga.	Tobey
Cluett	Jarrett	Pfeifer	Towey
Coffee, Nebr.	Jenkins, Ohio	Phillips	Treadway
Coffee, Wash.	Jenks, N. H.	Plumley	Wadsworth
Cole, N. Y.	Johnson, Minn.	Poage	Wallgren
Crawford	Johnson, Okla.	Polk	Walter
Crowther	Kennedy	Powers	Welch
Culkin	Kinzer	Randolph	Wene
Dempsey	Kirwan	Rankin	White, Ohio
Dirksen	Kleberg	Reece, Tenn.	Wigglesworth
Dondero	Kniffin	Reed, Ill.	Wilcox
Eaton	Knutson	Reed, N. Y.	Withrow
Ellenbogen	Kvale	Rees, Kans.	Wolcott
Engel	Lambertson	Rich	Wolfenden
Englebright	Lamneck	Robertson	Wolverton
Evans	Lanzetta	Robison, Ky.	Woodruff
Faddis	Lea	Rockefeller	
Ferguson	Leavy	Rogers, Mass.	

NAYS—219

Allen, Del.	Dies	Honeyman	Mead
Allen, La.	Dingell	Hook	Meeks
Allen, Pa.	Disney	Hope	Mills
Anderson, Mo.	Dixon	Izac	Mitchell, Ill.
Arnold	Dockweiler	Jacobsen	Mitchell, Tenn.
Barden	Doughton	Jarman	Mouton
Beam	Dowell	Jenckes, Ind.	Murdock, Ariz.
Beiter	Doxey	Johnson, Luther A.	Murdock, Utah
Biermann	Drewry, Va.	Johnson, Lyndon	Nelson
Bland	Driver	Johnson, W. Va.	Nichols
Bloom	Duncan	Jones	O'Brien, Ill.
Boland, Pa.	Dunn	Kee	O'Brien, Mich.
Boyer	Eberhart	Keller	O'Connell, Mont.
Bradley	Eckert	Kelly, Ill.	O'Connell, R. I.
Buckley, N. Y.	Edmiston	Kelly, N. Y.	O'Connor, Mont.
Bulwinkle	Elcher	Kennedy, Md.	O'Day
Burch	Elliott	Keogh	O'Leary
Byrne	Farley	Kerr	O'Neal, Ky.
Caldwell	Fernandez	Kitchens	O'Toole
Cannon, Mo.	Fitzgerald	Kocalkowski	Pace
Carlson	Fitzpatrick	Kopplemann	Palmisano
Cartwright	Flannagan	Kramer	Parsons
Champion	Ford, Calif.	Lambeth	Patman
Chandler	Fries, Ill.	Lanham	Patrick
Chapman	Fuller	Larrabee	Patton
Citron	Fulmer	Lewis, Colo.	Pearson
Clark, N. C.	Gambrill, Md.	Long	Pierce
Claypool	Garrett	Lucas	Rabaut
Cochran	Gilchrist	Ludlow	Ramsay
Colden	Gildea	Luecke, Mich.	Ramspeck
Collins	Goldsborough	McAndrews	Rayburn
Colmer	Gray, Ind.	McClellan	Reilly
Connelly	Greenwood	McCormack	Richards
Cooley	Gregory	McFarlane	Rigney
Cooper	Griffith	McGrath	Robinson, Utah
Cravens	Griswold	McKeough	Romjue
Creal	Haines	McLaughlin	Ryan
Crosby	Hamilton	McReynolds	Sabath
Crosser	Hancock, N. C.	McSweeney	Sadowski
Crowe	Harlan	Mahon, S. O.	Sanders
Cullen	Harrington	Mahon, Tex.	Satterfield
Cummings	Havener	Maloney	Schaefer, Ill.
Curley	Healy	Mansfield	Schulte
Delaney	Hennings	Martin, Colo.	Scott
DeMuth	Hill, Ala.	Maverick	Scragham
DeRouen	Hobbs	May	Shanley

Shannon	Steagall	Tolan	Wearin
Sheppard	Sullivan	Transue	West
Strovich	Sumners, Tex.	Turner	White, Idaho
Smith, Va.	Taylor, Colo.	Umstead	Whittington
Snyder, Pa.	Terry	Vincent, B. M.	Williams
South	Thom	Vinson, Fred M.	Wood
Sparkman	Thomas, Tex.	Vinson, Ga.	Woodrum
Spence	Thomason, Tex.	Voorhis	Zimmerman
Starnes	Thompson, Ill.	Warren	

ANSWERED "PRESENT"—1

Ditter

NOT VOTING—36

Aleshire	Costello	Flannery	O'Connor, N. Y.
Atkinson	Cox	Gasque	Pettengill
Bell	Daly	Gavagan	Quinn
Boykin	Deen	Hildebrandt	Sacks
Boylan, N. Y.	Dickstein	Holmes	Schuetz
Brooks	Dorsey	Kennedy, N. Y.	Smith, W. Va.
Casey, Mass.	Douglas	Lesinski	Sweeney
Celler	Drew, Pa.	Lewis, Md.	Weaver
Cole, Md.	Fish	McGranery	Welch

So the amendment was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Ditter (for) with Mr. O'Connor of New York (against).
 Mr. Holmes (for) with Mr. Flannery (against).
 Mr. Fish (for) with Mr. Cox (against).
 Mr. Douglas (for) with Mr. Brooks (against).
 Mr. Kennedy of New York (for) with Mr. Dickstein (against).

General pairs:

Mr. Schuetz with Mr. Smith of West Virginia.
 Mr. Boylan of New York with Mr. Drew of Pennsylvania.
 Mr. Weaver with Mr. Aleshire.
 Mr. Gavagan with Mr. Quinn.
 Mr. Pettengill with Mr. Lewis of Maryland.
 Mr. Bell with Mr. Welch.
 Mr. Gasque with Mr. Lesinski.
 Mr. McGranery with Mr. Boykin.
 Mr. Sweeney with Mr. Costello.
 Mr. Cole of Maryland with Mr. Atkinson.
 Mr. Celler with Mr. Dorsey.
 Mr. Hildebrandt with Mr. Casey of Massachusetts.
 Mr. Daly with Mr. Deen.

Mr. IMHOFF changed his vote from "no" to "aye."

Mr. FARLEY changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The SPEAKER. The Clerk will announce the next amendment, on which a separate vote is demanded.

The Clerk read as follows:

Amendment offered by Mr. JONES: Page 14, line 13, strike out all after the period down through line 9 on page 15.

The SPEAKER. The question is on agreeing to the amendment.

Mr. LUCAS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LUCAS. Mr. Speaker, while we were considering this bill I offered an amendment to the loan section, and after general debate the Committee adopted that amendment. Following that the gentleman from Texas [Mr. PATMAN] offered a further amendment, and after debate for about an hour the Committee defeated that amendment. Following that the gentleman from Texas [Mr. JONES] offered an amendment in which he deleted language above and below the language which I had amended by my amendment, and after general debate the amendment of the gentleman from Texas was adopted. Now, if the Jones amendment, upon which a separate vote has been demanded, should be voted in the negative, would such a vote automatically revive and return to life the amendment of the gentleman from Illinois which was adopted by the Committee?

The SPEAKER. The amendment originally proposed in Committee of the Whole by the gentleman from Illinois [Mr. LUCAS], which was superseded in its terms by the subsequent amendment of the gentleman from Texas [Mr. JONES], has not been reported to the House. The Chair has no knowledge of anything that was done in the Committee, except the report made by the Chairman of the Committee of the Whole. However, to clarify the situation, the Chair thinks it is proper to state that he has been advised that the gentleman from Illinois [Mr. LUCAS] did introduce an amendment on page 14, from lines 19 down through part of line 24, which was

adopted by the Committee of the Whole. Subsequent to that time the gentleman from Texas [Mr. JONES] introduced an amendment striking out all of section 201, beginning at line 14, down through the remainder of the section, so that as reported to the House by the Chairman of the Committee of the Whole the Jones amendment is the matter now pending in the House, and that is all.

Mr. LUCAS. Mr. Speaker, under these circumstances I ask unanimous consent that the request that I made for a separate vote on this amendment be withdrawn.

The SPEAKER. The previous question has already been ordered on the Jones amendment, and the House will vote upon it.

Mr. DOWELL rose.

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. DOWELL. To propound a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DOWELL. The amendment of the gentleman from Illinois [Mr. LUCAS] was adopted in the Committee of the Whole. Should not that amendment have been reported to the House?

The SPEAKER. It should not, because it was entirely superseded by a subsequent amendment proposed by the gentleman from Texas [Mr. JONES]. All of the language of the Lucas amendment was stricken from the bill, together with other language of the section comprehending the Lucas amendment.

The question is on agreeing to the Jones amendment.

The question was taken, and the amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment. The Chair thinks it proper to state that this is the so-called Boileau amendment.

Mr. BOILEAU rose.

The SPEAKER. For what purpose does the gentleman from Wisconsin rise?

Mr. BOILEAU. Mr. Speaker, I rise to demand recognition to move the previous question on the Boileau amendment.

The SPEAKER. The amendment has not yet been reported to the House. The Clerk will report the Boileau amendment.

The Clerk read as follows:

Amendment offered by Mr. BOILEAU: On page 9, line 4, strike out the period, insert a comma and the following: "And (except for lands which the Secretary determines should not be utilized for the harvesting of crops but should be permanently used for grazing purposes only) shall be further conditioned upon the utilization of the land, with respect to which such payment is made, so that soil-building and soil-conserving crops planted or produced on lands normally used for the production of cotton, wheat, rice, tobacco, or field corn shall be used for the purpose of building and conserving the fertility of the soil, or for the production of agricultural commodities to be consumed on the farm, and not for market. As used in this subsection, the term 'for market' means for disposition by sale, barter, exchange, or gift, or by feeding (in any form) to poultry or livestock which, or the products of which, are to be sold, bartered, exchanged, or given away; and such term shall not include consumption on the farm. An agricultural commodity shall be deemed consumed on the farm if consumed by the farmer's family, employees, or household, or by his work stock; or if fed to poultry or livestock on his farm and such poultry or livestock, or the products thereof, are to be consumed by his family, employees, or household."

Mr. JONES. Mr. Chairman, I move the previous question on the amendment and the bill to final passage.

The previous question was ordered.

The SPEAKER. The question is on the Boileau amendment.

The question was taken; and on a division (demanded by Mr. BOILEAU) there were ayes 149 and noes 180.

Mr. BOILEAU. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 202, nays 188, not voting 40, as follows:

[Roll No. 13]

YEAS—202

Allen, Del.	Eaton	Lamneck	Rutherford
Allen, Ill.	Eckert	Lanzetta	Ryan
Allen, Pa.	Edmiston	Lea	Sauthoff
Amle	Elcher	Leavy	Schaefer, Ill.
Andresen, Minn.	Ellenbogen	Lemke	Schneider, Wis.
Andrews	Elliott	Lord	Schulte
Arends	Engel	Lucas	Scott
Ashbrook	Englebright	Luce	Scrugham
Bacon	Evans	Ludlow	Secrest
Barry	Fitzgerald	McAndrews	Seger
Barton	Fitzpatrick	McCormack	Shafer, Mich.
Bates	Flegler	McKeough	Shanley
Beam	Forand	McLean	Short
Beiter	Frey, Pa.	McSweeney	Simpson
Bernard	Fries, Ill.	Maas	Sirovich
Biermann	Gamble, N. Y.	Magnuson	Smith, Conn.
Bigelow	Gearhart	Mapes	Smith, Maine
Blinderup	Gehrman	Martin, Mass.	Smith, Va.
Bloom	Gifford	Mason	Smith, Wash.
Boehne	Gilchrist	Mead	Snell
Boileau	Gingery	Meeks	Somers, N. Y.
Boyer	Gray, Pa.	Merritt	Stack
Bradley	Guyer	Michener	Stefan
Brewster	Gwynne	Moser, Pa.	Sullivan
Buckler, Minn.	Hancock, N. Y.	Mosler, Ohio	Sutphin
Buckley, N. Y.	Harlan	Mott	Swope
Burdick	Hart	Murdock, Utah	Taber
Byrne	Harter	Norton	Taylor, Colo.
Cannon, Wis.	Hartley	O'Brien, Ill.	Taylor, Tenn.
Carter	Havenner	O'Connell, Mont.	Teigan
Casey, Mass.	Healey	O'Connell, R. I.	Thomas, N. J.
Church	Hill, Wash.	O'Day	Thurston
Citron	Hoffman	O'Leary	Tinkham
Clark, Idaho	Hull	Oliver	Tobey
Clason	Hunter	O'Malley	Towey
Cluett	Imhoff	O'Neill, N. J.	Treadway
Coffee, Wash.	Izac	O'Toole	Voorhis
Cole, N. Y.	Jarrett	Parsons	Wadsworth
Connery	Jenkins, Ohio	Pfeiffer	Wallgren
Crawford	Jenks, N. H.	Plumley	Walter
Crowther	Johnson, Minn.	Polk	Welch
Culkin	Kelly, Ill.	Powers	Wene
Cullen	Kelly, N. Y.	Randolph	White, Ohio
Cummings	Kennedy	Reece, Tenn.	Wigglesworth
Curley	Keogh	Reed, Ill.	Withrow
Delaney	Kinzer	Reed, N. Y.	Wolcott
Dirksen	Kirwan	Reilly	Wolfenden
Ditter	Kniffin	Rich	Wolverton
Dondero	Knutson	Robison, Ky.	Woodruff
Dowell	Kopplemann	Rockefeller	
Dunn	Kvale	Rogers, Mass.	

NAYS—188

Allen, La.	Drewry, Va.	Kee	Face
Anderson, Mo.	Driver	Kennedy, Md.	Palmisano
Arnold	Duncan	Kerr	Patman
Barden	Eberharter	Kitchens	Patrick
Bell	Faddis	Kleberg	Patterson
Bland	Farley	Kociakowski	Patton
Boland, Pa.	Ferguson	Kramer	Pearson
Boren	Fernandez	Lambertson	Peterson, Fla.
Brown	Flannagan	Lambeth	Peterson, Ga.
Buck	Fletcher	Lanham	Pierce
Bulwinkle	Ford, Calif.	Larrabee	Phillips
Burch	Ford, Miss.	Lesinski	Poage
Caldwell	Fuller	Lewis, Colo.	Rabaut
Cannon, Mo.	Fulmer	Long	Ramsay
Carlson	Gambrill, Md.	Luckey, Nebr.	Ramspeck
Cartwright	Garrett	Luecke, Mich.	Rankin
Case, S. Dak.	Gildea	McClellan	Rayburn
Champion	Goldsborough	McFarlane	Rees, Kans.
Chandler	Gray, Ind.	McGehee	Richards
Chapman	Green	McGranery	Rigney
Clark, N. C.	Greenwood	McGrath	Robertson
Claypool	Greever	McLaughlin	Robinson, Utah
Cochran	Gregory	McMillan	Rogers, Okla.
Coffee, Nebr.	Griffith	McReynolds	Romjue
Colden	Griswold	Mahon, S. C.	Sadowski
Collins	Haines	Mahon, Tex.	Sanders
Colmer	Halleck	Maloney	Satterfield
Cooley	Hamilton	Mansfield	Shannon
Cooper	Hancock, N. C.	Martin, Colo.	Sheppard
Cravens	Harrington	Massingale	South
Creal	Hendricks	Maverick	Sparkman
Crosby	Hill, Ala.	May	Spence
Crosser	Hobbs	Mills	Starnes
Crowe	Honeyman	Mitchell, Ill.	Steagall
Dempsey	Hook	Mitchell, Tenn.	Summers, Tex.
DeMuth	Hope	Mouton	Tarver
DeRouen	Houston	Murdock, Ariz.	Taylor, S. C.
Dies	Jenckes, Ind.	Nelson	Terry
Dingell	Johnson, Luther A.	Nichols	Thom
Disney	Johnson, Lyndon	O'Brien, Mich.	Thomas, Tex.
Dixon	Johnson, Okla.	O'Connor, Mont.	Thomason, Tex.
Doughton	Johnson, W. Va.	O'Neal, Ky.	Thompson, Ill.
Doxey	Jones	Owen	Tolan

Transue	Vinson, Fred M.	West	Williams
Turner	Vinson, Ga.	White, Idaho	Wood
Umstead	Warren	Whittington	Woodrum
Vincent, B. M.	Wearin	Wilcox	Zimmerman

NOT VOTING—40

Aleshire	Deen	Hennings	Pettengill
Atkinson	Dickstein	Hildebrandt	Quinn
Boykin	Dockweiler	Holmes	Sabath
Boylan, N. Y.	Dorsey	Jacobsen	Sacks
Brooks	Douglas	Jarman	Schuetz
Celler	Drew, Pa.	Keller	Smith, W. Va.
Cole, Md.	Fish	Kennedy, N. Y.	Snyder, Pa.
Costello	Flannery	Lewis, Md.	Sweeney
Cox	Gasque	McGroarty	Weaver
Daly	Gavagan	O'Connor, N. Y.	Whelchel

So the amendment was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Holmes (for) with Mr. Flannery (against).
Mr. Fish (for) with Mr. Cox (against).
Mr. Douglas (for) with Mr. Brooks (against).

General pairs:

Mr. Schuetz with Mr. Smith of West Virginia.
Mr. Boylan of New York with Mr. Drew of Pennsylvania.
Mr. Weaver with Mr. Aleshire.
Mr. Gavagan with Mr. Quinn.
Mr. Pettengill with Mr. Lewis of Maryland.
Mr. Sweeney with Mr. Costello.
Mr. Cole of Maryland with Mr. Atkinson.
Mr. Celler with Mr. Dorsey.
Mr. Hildebrandt with Mr. Boykin.
Mr. Daly with Mr. Deen.
Mr. Dickstein with Mr. Kennedy of New York.
Mr. Gasque with Mr. Sacks.
Mr. Whelchel with Mr. Keller.
Mr. Dockweiler with Mr. Jarman.
Mr. Sabath with Mr. Hennings.
Mr. Snyder of Pennsylvania with Mr. Jacobsen.

Mr. HARRINGTON. Mr. Speaker, I change my vote from "aye" to "no."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. ANDRESEN of Minnesota. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman a member of the Committee on Agriculture?

Mr. ANDRESEN of Minnesota. I am.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. ANDRESEN of Minnesota. I am.

The SPEAKER. The gentleman from Minnesota qualifies. The Clerk will report the motion of the gentleman from Minnesota.

The Clerk read as follows:

Mr. ANDRESEN of Minnesota moves to recommit the bill (H. R. 8505) to the Committee on Agriculture.

Mr. JONES. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Minnesota.

Mr. SNELL. Mr. Speaker, on that motion I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 196, nays 205, answered "present" 1, not voting 23, as follows:

[Roll No. 14]

YEAS—196

Allen, Ill.	Ashbrook	Bigelow	Buck
Allen, Pa.	Bacon	Binderup	Buckler, Minn.
Anderson, Mo.	Barry	Boehne	Burdick
Andersen, Minn.	Barton	Boileau	Caldwell
Andrews	Bates	Boren	Cannon, Mo.
Arends	Bernard	Boyer	Cannon, Wis.
Arnold	Biermann	Brewster	Carter

Case, S. Dak.	Guyer	McLean	Schneider, Wis.
Champion	Gwynne	McMillan	Schulte
Church	Halleck	McSweeney	Secrest
Clason	Hancock, N. Y.	Maas	Seger
Claypool	Harrington	Mapes	Shafer, Mich.
Cluett	Hart	Martin, Mass.	Shannon
Coffee, Nebr.	Harter	Mason	Sheppard
Cole, N. Y.	Hartley	Massingale	Short
Crawford	Hennings	Meeks	Simpson
Crosser	Hoffman	Michener	Smith, Conn.
Crowe	Houston	Mitchell, Ill.	Smith, Maine
Crowther	Hull	Moser, Pa.	Snell
Culkin	Hunter	Mosier, Ohio	Stack
Dempsey	Imhoff	Mott	Starnes
Dies	Jarrett	O'Connell, Mont.	Stefan
Dirksen	Jenckes, Ind.	Oliver	Sutphin
Dockweiler	Jenkins, Ohio	O'Neal, Ky.	Taber
Dondero	Jenks, N. H.	O'Neill, N. J.	Tarver
Eaton	Johnson, Minn.	Pace	Taylor, S. C.
Edmiston	Johnson, Okla.	Parsons	Taylor, Tenn.
Elcher	Kee	Patman	Teigan
Ellenbogen	Kinzer	Patterson	Thomas, N. J.
Elliott	Kirwan	Peterson, Ga.	Thomas, Tex.
Engel	Kleberg	Phillips	Thompson, Ill.
Englebright	Kniffin	Plumley	Thurston
Farley	Knutson	Powers	Tinkham
Ferguson	Kocialkowski	Randolph	Tobey
Fieger	Kramer	Rankin	Towey
Fletcher	Kvale	Reece, Tenn.	Treadway
Forand	Lambertson	Reed, Ill.	Voorhis
Frey, Pa.	Lamneck	Reed, N. Y.	Wadsworth
Fries, Ill.	Larrabee	Rees, Kans.	Walter
Gamble, N. Y.	Leavy	Rich	Welch
Gearhart	Lemke	Rigney	Wene
Gehrmann	Long	Robertson	White, Idaho
Gifford	Lord	Robison, Ky.	White, Ohio
Gingery	Lucas	Rockefeller	Wigglesworth
Gray, Ind.	Luce	Rogers, Mass.	Withrow
Gray, Pa.	Luckey, Nebr.	Rogers, Okla.	Wolcott
Green	Ludlow	Rutherford	Wolfenden
Greenwood	McFarlane	Sauthoff	Wolverton
Griswold	McGroarty	Schaefer, Ill.	Woodruff

NAYS—205

Allen, Del.	Duncan	Lambeth	Polk
Allen, La.	Dunn	Lanham	Rabaut
Amie	Eberharter	Lanzetta	Ramsay
Barden	Eckert	Lea	Ramspeck
Beam	Evans	Lesinski	Rayburn
Belter	Faddis	Lewis, Colo.	Reilly
Bell	Fernandez	Lewis, Md.	Richards
Bland	Fitzgerald	Luecke, Mich.	Robinson, Utah
Bloom	Fitzpatrick	McAndrews	Romjue
Boland, Pa.	Flannagan	McClellan	Ryan
Boykin	Ford, Calif.	McCormack	Sabath
Bradley	Ford, Miss.	McGehee	Sacks
Brown	Fuller	McGranery	Sadowski
Buckley, N. Y.	Fulmer	McGrath	Sanders
Bulwinkle	Gambrill, Md.	McKeough	Satterfield
Burch	Garrett	McLaughlin	Scott
Byrne	Gilchrist	McReynolds	Scrugham
Carlson	Gildea	Magnuson	Srovich
Cartwright	Goldsborough	Mahon, S. C.	Smith, Va.
Casey, Mass.	Greever	Mahon, Tex.	Smith, Wash.
Chandler	Gregory	Maloney	Snyder, Pa.
Chapman	Griffith	Mansfield	Somers, N. Y.
Citron	Haines	Martin, Colo.	South
Clark, Idaho	Hamilton	Maverick	Sparkman
Clark, N. C.	Hancock, N. C.	May	Spence
Cochran	Harlan	Mead	Steagall
Coffee, Wash.	Havenner	Merritt	Sullivan
Colden	Healey	Mills	Summers, Tex.
Collins	Hendricks	Mitchell, Tenn.	Swope
Colmer	Hildebrandt	Mouton	Taylor, Colo.
Connery	Hill, Ala.	Murdock, Ariz.	Terry
Cooley	Hill, Wash.	Murdock, Utah	Thom
Cooper	Hobbs	Nelson	Thomason, Tex.
Cravens	Honeyman	Nichols	Tolan
Creal	Hook	Norton	Transue
Crosby	Hope	O'Brien, Ill.	Turner
Cullen	Izac	O'Brien, Mich.	Umstead
Cummings	Jacobsen	O'Connell, R. I.	Vincent, B. M.
Curley	Jarman	O'Connor, Mont.	Vinson, Fred M.
Deen	Johnson, Luther A.	O'Day	Vinson, Ga.
Delaney	Johnson, Lyndon	O'Leary	Wallgren
DeMuth	Johnson, W. Va.	O'Malley	Warren
DeRouen	Jones	O'Toole	Wearin
Dingell	Keller	Owen	Whittington
Disney	Kelly, Ill.	Palmisano	Wilcox
Dixon	Kelly, N. Y.	Patrick	Williams
Dorsey	Kennedy, Md.	Patton	Wood
Doughton	Kenney	Pearson	Woodrum
Dowell	Keogh	Peterson, Fla.	Zimmerman
Doxey	Kerr	Pfeifer	
Drewry, Va.	Kitchens	Pierce	
Driver	Kopplemann	Poage	

ANSWERED "PRESENT"—1

Ditter

NOT VOTING—28

Aleshire	Cox	Gasque	Schuetz
Atkinson	Daly	Gavagan	Shanley
Boylan, N. Y.	Dickstein	Holmes	Smith, W. Va.
Brooks	Douglas	Kennedy, N. Y.	Sweeney
Celler	Drew, Pa.	O'Connor, N. Y.	Weaver
Cole, Md.	Fish	Pettengill	West
Costello	Flannery	Quinn	Whelchel

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. Ditter (for) with Mr. O'Connor of New York (against).
 Mr. Holmes (for) with Mr. Flannery (against).
 Mr. Fish (for) with Mr. Cox (against).
 Mr. Douglas (for) with Mr. Brooks (against).
 Mr. Kennedy of New York (for) with Mr. Dickstein (against).
 Mr. Smith of West Virginia (for) with Mr. Schuetz (against).

Until further notice:

Mr. Boylan of New York with Mr. Drew of Pennsylvania.
 Mr. Weaver with Mr. Aleshire.
 Mr. Gavagan with Mr. Quinn.
 Mr. Pettengill with Mr. Shanley.
 Mr. Sweeney with Mr. Costello.
 Mr. Cole of Maryland with Mr. Atkinson.
 Mr. Whelchel with Mr. Celler.
 Mr. Gasque with Mr. Daly.

Mr. HENNINGS and Mr. SHEPPARD changed their vote from "nay" to "yea."

Mr. MERRITT changed his vote from "yea" to "nay."

Mr. DITTER. Mr. Speaker, in view of my pair with the gentleman from New York, Mr. O'CONNOR, I withdraw my vote of "yea." He would have voted "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. SNELL. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 267, nays 130, answered "present" 3, not voting 30, as follows:

[Roll No. 15]

YEAS—267

Allen, Del.	Cravens	Gregory	Luckey, Nebr.
Allen, La.	Creal	Griffith	Ludlow
Amle	Crosby	Griswold	Luecke, Mich.
Anderson, Mo.	Crosser	Guyer	McAndrews
Arnold	Crowe	Haines	McClellan
Barden	Cullen	Hamilton	McCormack
Beam	Cummings	Hancock, N. C.	McFarlane
Beiter	Curley	Harlan	McGehee
Bell	Deen	Harrington	McGranery
Bernard	Delaney	Havener	McGrath
Blermann	DeMuth	Healey	McKeough
Blinderup	DeRouen	Hendricks	McLaughlin
Bland	Dies	Hildebrandt	McReynolds
Bloom	Dingell	Hill, Ala.	McSweeney
Boehne	Disney	Hill, Wash.	Magnuson
Bolieau	Dixon	Honeyman	Mahon, S. C.
Boland, Pa.	Dockweiler	Hook	Mahon, Tex.
Boyer	Dorsey	Hope	Maloney
Boykin	Dowell	Houston	Mansfield
Bradley	Doxey	Imhoff	Martin, Colo.
Brown	Drewry, Va.	Izac	Maverick
Buck	Driver	Jacobsen	May
Buckler, Minn.	Duncan	Jarman	Mead
Buckley, N. Y.	Dunn	Jenckes, Ind.	Meeks
Bulwinkle	Eberhart	Johnson, Luther A.	Merritt
Burch	Eckert	Johnson, Lyndon	Mills
Burdick	Elcher	Johnson, Minn.	Mitchell, Ill.
Byrne	Ellenbogen	Johnson, Okla.	Mitchell, Tenn.
Cannon, Mo.	Elliott	Johnson, W. Va.	Mosier, Ohio
Cannon, Wis.	Faddis	Jones	Mouton
Carlson	Farley	Kee	Murdoch, Ariz.
Cartwright	Fernandez	Keller	Murdoch, Utah
Case, S. Dak.	Fitzgerald	Kelly, Ill.	Nelson
Casey, Mass.	Fitzpatrick	Kelly, N. Y.	Nichols
Champion	Flannagan	Kennedy, Md.	Norton
Chandler	Ford, Calif.	Kenney	O'Brien, Ill.
Chapman	Ford, Miss.	Keogh	O'Brien, Mich.
Citron	Fries, Ill.	Kerr	O'Connell, Mont.
Clark, Idaho	Fuller	Kitchens	O'Connell, R. I.
Clark, N. C.	Fulmer	Kopplemann	O'Connor, Mont.
Claypool	Gambrill, Md.	Kramer	O'Day
Cochran	Garrett	Kvale	O'Leary
Coffee, Wash.	Gilchrist	Lambeth	O'Toole
Colden	Gildea	Lanham	Owen
Collins	Gingery	Lanzetta	Palmisano
Colmer	Goldsborough	Larrabee	Parsons
Connery	Gray, Ind.	Lea	Patman
Cooley	Greenwood	Lesinski	Patrick
Cooper	Greever	Long	Patterson

Patton	Ryan	Sparkman	Umstead
Pearson	Sabath	Spence	Vincent, B. M.
Peterson, Fla.	Sacks	Steagall	Vinson, Ga.
Pfeifer	Sanders	Sullivan	Voorhis
Pierce	Satterfield	Summers, Tex.	Wallgren
Poage	Sauthoff	Swope	Walter
Rabaut	Schaefer, Ill.	Taylor, Colo.	Warren
Ramsay	Schneider, Wis.	Taylor, S. C.	Wearin
Ramspeck	Schulte	Taylor, Tenn.	Welch
Rankin	Shanley	Teigan	White, Idaho
Rayburn	Shannon	Terry	Whittington
Reece, Tenn.	Sheppard	Thom	Wilcox
Rees, Kans.	Sirovich	Thomas, Tex.	Williams
Relly	Smith, Va.	Thomason, Tex.	Withrow
Richards	Smith, Wash.	Thurston	Wood
Rigney	Snyder, Pa.	Tolan	Woodrum
Robinson, Utah	Somers, N. Y.	Transue	Zimmerman
Romjue	South	Turner	

NAYS—130

Allen, Ill.	Fletcher	Lewis, Colo.	Rutherford
Allen, Pa.	Forand	Lord	Scott
Andresen, Minn.	Frey, Pa.	Lucas	Scruggam
Andrews	Gamble, N. Y.	Luce	Secrest
Arends	Gearhart	McGroarty	Seger
Ashbrook	Gehrmann	McLean	Shafer, Mich.
Bacon	Gifford	McMillan	Short
Barry	Gray, Pa.	Maas	Simpson
Barton	Green	Mapes	Smith, Conn.
Bates	Gwynne	Martin, Mass.	Smith, Maine
Bigelow	Halleck	Mason	Snell
Boren	Hancock, N. Y.	Massingale	Stack
Brewster	Hart	Michener	Starnes
Caldwell	Harter	Moser, Pa.	Stefan
Carter	Hartley	Mott	Sutphin
Church	Hennings	Oliver	Taber
Clason	Hobbs	O'Malley	Tarver
Cluett	Hoffman	O'Neal, Ky.	Thomas, N. J.
Coffee, Nebr.	Hull	O'Neill, N. J.	Thompson, Ill.
Cole, N. Y.	Hunter	Pace	Tinkham
Crawford	Jarrett	Peterson, Ga.	Tobey
Crowther	Jenkins, Ohio	Phillips	Towey
Culkin	Jenks, N. H.	Plumley	Wadsworth
Dempsey	Kinzer	Polk	Wene
Dirksen	Kirwan	Powers	West
Dondero	Kleberg	Randolph	White, Ohio
Eaton	Kniffin	Reed, Ill.	Wigglesworth
Edmiston	Knutson	Rich	Wolcott
Engel	Kocialkowski	Robertson	Wolfenden
Englebright	Lambertson	Robison, Ky.	Wolverton
Evans	Lamneck	Rockefeller	Woodruff
Ferguson	Leavy	Rogers, Mass.	
Fieger	Lemke	Rogers, Okla.	

ANSWERED "PRESENT"—3

Ditter	Reed, N. Y.	Treadway
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NOT VOTING—30

Aleshire	Daly	Gavagan	Schuetz
Atkinson	Dickstein	Holmes	Smith, W. Va.
Boylan, N. Y.	Doughton	Kennedy, N. Y.	Sweeney
Brooks	Douglas	Lewis, Md.	Vinson, Fred M.
Celler	Drew, Pa.	O'Connor, N. Y.	Weaver
Cole, Md.	Fish	Pettengill	Whelchel
Costello	Flannery	Quinn	
Cox	Gasque	Sadowski	

So the bill was passed.

The Clerk announced the following pairs:

On the vote:

Mr. O'Connor of New York (for) with Mr. Ditter (against).
 Mr. Fred M. Vinson (for) with Mr. Reed of New York (against).
 Mr. Flannery (for) with Mr. Holmes (against).
 Mr. Cox (for) with Mr. Fish (against).
 Mr. Brooks (for) with Mr. Douglas (against).
 Mr. Dickstein (for) with Mr. Kennedy of New York (against).
 Mr. Schuetz (for) with Mr. Smith of West Virginia (against).
 Mr. Doughton (for) with Mr. Treadway (against).

General pairs:

Mr. Boylan of New York with Mr. Drew of Pennsylvania.
 Mr. Weaver with Mr. Aleshire.
 Mr. Gavagan with Mr. Quinn.
 Mr. Pettengill with Mr. Lewis of Maryland.
 Mr. Sweeney with Mr. Costello.
 Mr. Cole of Maryland with Mr. Atkinson.
 Mr. Celler with Mr. Daly.
 Mr. Gasque with Mr. Whelchel.

Mr. STARNES and Mr. KNUTSON changed their votes from "yea" to "nay."

Mr. TREADWAY. Mr. Speaker, I desire to withdraw my vote from "nay," in view of the fact I have a pair with the gentleman from North Carolina, Mr. DOUGHTON, and desire to vote "present."

Mr. REED of New York. Mr. Speaker, I have a pair with the gentleman from Kentucky, Mr. FRED M. VINSON. I wish to withdraw my vote and vote "present."

Mr. DITTER. Mr. Speaker, in view of my pair with the gentleman from New York, Mr. O'CONNOR, I withdraw my vote of "nay" and vote "present."

The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. McLAUGHLIN. Mr. Speaker, I wish to announce on behalf of the Committee on the Judiciary that on next Monday, at 10:30 a. m., in the meeting rooms of the Judiciary Committee, hearings will be held on House Joint Resolution 199, offered by the gentleman from Indiana [Mr. LUDLOW], proposing an amendment to the Constitution of the United States to provide for a referendum on war.

EXTENSION OF REMARKS

Mr. BOREN asked and was given permission to extend his own remarks in the RECORD.

Mr. FORD of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and insert therein an address by the mayor of my city covering the indigent-transient problem on the Pacific coast.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two communications on the wage and hour bill from the National Consumers' League.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BRADLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a certain letter which I received in regard to the wage and hour legislation and my reply thereto.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BIGELOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address by me.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. TEIGAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Governor Benson, of Minnesota, at a recent farm conference held in St. Paul.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some correspondence exchanged between the mayor of Jersey City and myself.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

Mr. KNUTSON. Mr. Speaker, reserving the right to object, does the gentleman intend to have it printed for general circulation?

The SPEAKER. Does the gentleman from Minnesota object?

Mr. KNUTSON. No.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. ANDREWS. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD by including a short letter from the Governor of New York, Herbert

H. Lehman, referring to House bill 2927, relating to railroad freight rates.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The letter referred to follows:

STATE OF NEW YORK,
EXECUTIVE CHAMBER,
Albany, December 7, 1937.

HON. WALTER G. ANDREWS,

House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I beg to draw your attention to the fact that the passage of House bill no. 2927, introduced by Congressman RAMSPECK, relating to railroad freight rates, would undoubtedly have a very adverse effect on the industries of New York State.

This bill would in effect require as a matter of congressional enactment that railroad freight rates for transportation from one section of the country to another should, in all instances, be on the basis of the freight rates within the territory of destination. In other words, that freight rates from the South to the North should be on the basis of the lower level of freight rates within the North, while freight rates from the North to the South should be on the basis of the higher level within the South. This measure is apparently a part of the general activity of the Southern States seeking to attract industry to the South by securing a freight rate adjustment which would be preferential to southern producers in competition with northern producers. Another phase of this movement is represented by the proceeding inaugurated by the southern Governors before the Interstate Commerce Commission seeking a reduction of freight rates from the South to the North to the level of those obtaining within the North. The State of New York has intervened in this proceeding for the protection of its citizens.

I am sure you will agree with me that apart from the adverse effect upon New York of the method of rate making provided by the Ramspeck bill, the bill itself is fundamentally unsound in that it would remove rate making from the quasi-judicial jurisdiction of the Interstate Commerce Commission and make it the subject of special congressional legislation.

I bring this matter to your attention and strongly urge that you oppose the passage of the bill which cannot but help to be harmful to New York State.

Very sincerely yours,

HERBERT H. LEHMAN.

PERMISSION TO ADDRESS THE HOUSE

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's table on Monday next I may be given the 20 minutes allotted to me today.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that on Monday next after the disposition of matters on the Speaker's table and at the conclusion of the legislative program in order for the day, he may be permitted to address the House for 20 minutes. Is there objection?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, it is understood the gentleman's speech will come after the legislative program is completed?

Mr. KNUTSON. May I ask the majority leader if we shall have general debate on the wage-hour bill?

Mr. RAYBURN. There will be 4 hours of general debate, I may say to the gentleman.

Mr. KNUTSON. Such debate will not necessarily be confined to the bill?

Mr. RAYBURN. I do not know just exactly what the rule provides.

Mr. KNUTSON. I shall try to get time in general debate then.

The SPEAKER. The Chair may state to the gentleman from Minnesota that under the rule the general debate on Monday is to be confined to the wage and hour bill.

Mr. KNUTSON. I believe I can get time in general debate, Mr. Speaker. That is agreeable to me.

I withdraw my request, Mr. Speaker.

EXTENSION OF REMARKS

Mr. O'CONNELL of Montana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with reference to the Committee for Industrial Organization and its activities in the State of Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

VOTE ON THE FARM BILL

Mr. DEEN. Mr. Speaker, when the vote was taken on the Boileau amendment and on the Coffee amendment, I was unavoidably detained in one of the departments on an emergency official matter. If I had been present I would have voted "nay" on both amendments.

The SPEAKER. Under special order of the House, the gentleman from Texas [Mr. MAVERICK] is recognized for 30 minutes.

Mr. MAVERICK. Mr. Speaker, the address I shall make today is entirely nonpartisan, and I shall be pleased to yield for any question of a nonpartisan nature after I have started. Of course, if I make any partisan statement, I shall be glad to be called on it.

My purpose today is to talk about the efficiency and responsibility of the American Government. We have serious problems in this country today. We have unemployment, we have war, we have fascism, we have communism, we have hate, and we have a break-down of democracy all over the world. We have monopoly and all sorts of things which need the most studious attention of the Congress of the United States.

I sometimes wonder whether our Government is responsible. I wonder whether the policies we enunciate are being carried out, right or wrong; whether we indeed are floundering a little bit; whether or not the Democratic Party is responsible, and whether any other party would be responsible if it were in power.

We are here in an extraordinary session, called by the President of the United States under his constitutional power. We return to a scene of confusion, and lack of legislative preparation, where a Democratic Rules Committee has refused to let the Democratic Party vote on its pledged party policies, and a situation of fear and lack of confidence among certain groups.

In such a situation, we should have a Government that is directly responsible to the people. We are supposed to be a democracy. For that reason I have attempted to appraise the situation, and attempt an analysis. Besides, I will make a few comparisons.

BRITISH SYSTEM—WHY NOT MR. WALLACE ON OUR FLOOR?

As everyone in this Chamber knows, the members of the British Cabinet come on the floor of the House of Commons, and they are eligible to do so because each member of the Cabinet is a member of one House or the other of Parliament. Let us take, for instance, the bill we have been discussing for the last 10 days in the House of Representatives. It seems to me if we had had the Secretary of Agriculture here on the floor, we could have asked him a lot of questions and secured valuable information.

I am well satisfied with the way the gentleman from Texas [Mr. JONES], chairman of the Committee on Agriculture, has conducted the Agricultural bill.

I believe he is an able and conscientious chairman of the Committee on Agriculture and has done a fine job. But that is not the point. I believe we would have had much more information if the Secretary of Agriculture had been on the floor to answer questions.

ABOUT 350,000 ADDED TO W. P. A.—CONGRESS DOES NOT KNOW WHY

Let us take another situation. As a friend of the administration, I read in the paper this morning that Mr. Hopkins has issued a statement to the effect that he is going to increase the W. P. A. rolls by 350,000 persons. Was a single Congressman consulted on this move? Was a single leader of the Democratic Party, either in the Senate or in the House, consulted on it?

Personally, I believe he was absolutely right; but I do not actually know whether or not he was right. It is technically true he is not a member of the Cabinet, but he is a high official of the Government. Why should not Mr. Hopkins have come in and made that announcement on this floor and

answered the questions of members of both the Democratic Party and the opposition?

Also, I should like to know what is on Mr. Morgenthau's mind. I should like to know what he is thinking about. I have no idea what he is thinking about, in the way of taxation or anything else. I understand he is a fine gentleman; but so far as I am concerned, he is a sphinx locked up in a watertight, soundproof money box. Let him get out of his box, and tell us what it is all about.

Now let me make some comparisons with the Government of Great Britain. Our Government, our Constitution, proceeded from the British, even though it was by bloody revolution. Considering the similarities of the two nations, and the fact that Great Britain is a successful parliamentary government in the face of dictatorships and conditions of greatest international instability, such comparisons may be of value.

In England, as we know, there is an "unwritten" constitution (see below I, The British Constitution) and "a cabinet government." The practice of Cabinet members attending sessions of Parliament, and taking part in the debates, and answering questions is essential to the Englishman's concept of representative and responsible government.

CHIEF JUSTICE HUGHES SAYS RESPONSIBILITY IS DIVIDED IN OUR GOVERNMENT

Many of the best American thinkers believe that our members of the Cabinet should be given the privilege of the floor of Congress. On this question, Chief Justice of the United States Hughes has said:

The President of the United States is the Executive, with separate powers. He has important relation to legislative action through his recommendations and his veto power. He may win support by favors, by party pressure, by arguments, by the moral force of appeals to the country.

But he is not the leader of Congress.

Even the representatives of his own party may oppose and defeat his recommendations without affecting his tenure or their own.

Responsibility is divided.

The country looks for results which because of a division of powers it cannot secure. It is apt to hold the President responsible as though by some magic charm he could accomplish what under our constitutional arrangement it is impossible to achieve. There are committees and blocs. There are conferences and entreaties, but the capacity to put things through, enjoyed by a parliamentary ministry, is absent.

PUBLIC CONFIDENCE IN PRESIDENT, ADMINISTRATION MEASURES

Chief Justice Hughes then says, "but the American system has the advantage of stability," and adds:

The failure of an administration measure in the Congress, however strongly urged, leaves him undisturbed in the tenure of his office and it may be with an even higher degree of public confidence.

This statement was made before the proposal of the President to reform the Supreme Court and other Federal courts, a sort of prophecy that although the suggestions later made by the President were killed by his own party, he enjoys, by actual polls, greater confidence with the people. Those who blocked the program still are in office. And the Supreme Court question remains unsolved. This is a strange situation in democratic government.

CABINET MEMBERS SHOULD GO ON FLOOR—HUGHES

Mr. Hughes strongly believes in permitting members of the Cabinet on the floor of Congress, and says the practice is constitutional. There has never been any question as to the constitutionality or propriety of the practice. (See below II, Historical Background, Cabinet Idea.)

He says:

There is, however, the possibility of improvement without weakening our safeguards, by improving the methods of contact between the Executive and the Congress.

It ought to be possible for Cabinet officers to take part in the debates in both Houses on matters touching their departments and thus to be able to give exact information and to defend themselves against unjust attacks. A vast amount of time is now wasted in the Congress.

Under the present arrangement, a Cabinet officer often hears of misunderstandings and of an outpouring of mistaken notions, which a brief statement from him could have corrected, but the misapprehension has been voiced and has gone through the country perhaps never to be overtaken.

He continues:

We can preserve the advantages of stability and enhance the opportunities of Executive leadership, not by overriding the cherished prerogatives of the Congress, or by attempting to gain an illicit advantage for that leadership, but by having a recognized contact through the regular admission of Cabinet officers to the floor of both Houses of Congress.

Mr. LEWIS of Maryland. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield to the gentleman from Maryland.

Mr. LEWIS of Maryland. Reading the Constitution in a simple way, one would say we can give the privilege of the floor to any person of whom our judgment approves and for such purpose as our judgment approves. A vote could not be given to a member of the Cabinet, but he might have the same voice here which is accorded the Delegate from Alaska and the Commissioner from Puerto Rico.

Mr. MAVERICK. The gentleman from Maryland, one of the best students of government in the House, is correct.

Mr. LEWIS of Maryland. This would serve the purpose the gentleman has in mind.

Mr. MAVERICK. That is correct, and that is what I have in mind.

Mr. THOM. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. THOM. I may say to the gentleman, I introduced a bill at the last session which would give the privilege of the floor to members of the Cabinet and, of course, exclude them from voting. The bill is now before the Committee on the Judiciary.

Mr. MAVERICK. I knew the gentleman had done that and I am pleased he has done it. I think it is going to help a great deal toward clarifying democratic government and making it responsible.

Now let me proceed with some elementary explanations which are essential to the story. In the first place, the British Cabinet is selected from Parliament, one house or the other. If it is desired to appoint one a Cabinet member who is not a member of Parliament, he must first be a candidate for Parliament, and get elected. He can run for a seat in the House of Commons in any part of Great Britain, just as any American can be a candidate anywhere within his own State, whether a resident of his own district or not.

Their Cabinet, like our Cabinet, has neither constitutional nor statutory standing. Still, it controls the British Government and does it within the British Constitution. It is in fact a committee of the leading men of the party in majority control of the House of Commons.

Mr. BREWSTER. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. Of course, I yield to my friend.

Mr. BREWSTER. May I ask the gentleman whether or not he feels that in recent years the historic function of the American Cabinet, as a council to the President, has been pretty much dissipated?

Mr. MAVERICK. I am speaking just now of the British Cabinet and, as you know, when I started out I said I was not going to answer any partisan question. Is that not a little partisan?

Mr. BREWSTER. I did not confine it to this administration. If the gentleman makes the application, that is up to him. It is a question of the coat fitting.

Mr. MAVERICK. Well, Joseph's coat was of many colors; it depends on how you look at it—some are color blind as to the coat of Roosevelt. Whatever its color, it fits the American people. But this must not be partisan wrangle, and I answer by saying that at various times in the history of the United States we have had Presidents who did not listen to the Cabinet, while others did, but as far as Government responsibility is concerned, legally, the Cabinet has nothing to do with it, because it is not in the Constitution nor provided by statutes. The President can listen to his Cabinet or not listen to it as he pleases.

Mr. BREWSTER. Would it be a fair statement to say that over a long period of years the sessions of the Cabinet

have been the important event of the governmental week, and the announcement of their conclusions was regarded with great concern and interest?

Mr. MAVERICK. I think so, and possibly we agree. So far as I am concerned, I do not like the idea of a Cabinet locking itself up in its compartment without giving us information, and announcing a particular policy without either contact or consultation with Congress.

Mr. BREWSTER. I am in entire agreement with the gentleman.

Mr. MAVERICK. I might say to my colleague, the former Governor of Maine, that would apply, no matter what administration we might have.

Mr. WHITE of Ohio. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield to my distinguished friend.

Mr. WHITE of Ohio. The gentleman from Texas the other day very kindly focused his interest on whether or not Congress had a right to discuss the responsibility of this Government in determining whether or not a state of war exists in the Far East. If the proposition the gentleman is expounding here now were in effect, would not that provide an excellent example of the way in which we would be able to call the Secretary of State in here and get direct answers upon the question, and find out why he thinks this mass murder that has been going on over there in the piling up high of corpses on the streets of China is merely technicality or a state of war?

Mr. MAVERICK. Sure. I thank the gentleman for his statement, and I believe that Secretary Hull should be asked to come on this floor and explain his foreign policies. I do not see any reason why Mr. Hull should not come in here and say what he has in his mind.

I came here as one of the firm believers in neutrality, and I still believe in it, but now we are getting into an international situation, and I do not understand it. I want to know the truth about it, and it would not hurt us in the slightest to have Mr. Hull on the floor. And it would not hurt Mr. Hull. The main thing is, it would improve our understanding of foreign affairs, and permit us to have sensible policies.

Mr. WHITE of Ohio. Right in this specific particular, the question has arisen, has it not, as to whether or not the policy conforms to the Neutrality Act adopted by Congress?

Mr. MAVERICK. That is true.

Mr. WHITE of Ohio. And the distinguished chairman of the Committee on Foreign Affairs, for whom I have a great deal of affection, when we asked the question about the policy, said it was a technicality, and, in substance, he indicated that he did not feel that it was any of the business of Congress.

Mr. MAVERICK. That might be a fair conclusion; Congress should know foreign policies first-hand—

Mr. WHITE of Ohio (interjecting). But it seems to me that Congress having passed the neutrality law, we have a great deal of business and responsibility in determining whether or not the President's action conforms to that law.

Mr. MAVERICK. Of course, the gentleman is right. Foreign affairs—and domestic affairs, too—should be discussed in the Chamber and not be arrived at by some mysterious symbols of some kind at the other end of the Avenue.

HOUSE OF COMMONS IS THE GOVERNMENT OF ENGLAND

Let me complete my explanation of the House of Commons. Please do not interrupt me for a few minutes. Now, the House of Commons is really the Government of England. The House of Lords once had the same power as our American Senate on refusing to concur with the House of Representatives, but it has it no longer. In 1911 the Liberal Government under Asquith, threatened to "pack" the House of Lords (by having the King appoint more Lords) to such an extent that it would no longer stand in the way of progress in England, but after lengthy disputes the House of Lords withdrew their power as against the House of Commons. It still has the power to hold up any law passed by the House of Commons for a period of as much

as 2 years. However, this power is never exercised, because it would precipitate an election in which the House of Lords would very likely lose the issue.

It is also to be noted that elections in England are held on issues and our elections are held on dates.

The explanation of this latter is simple; for in our country elections are held at certain periods and the elected Member of the House of Representatives or Senate remains in office until his term expires, whether he keeps his pledges or not and whether he is responsible or not. In England the members of the House of Commons hold office until there is an issue sufficient to have an election but in any case an election is held within 5 years.

In England, the Ministry is responsible directly to Parliament because of its own responsibility for legislative and executive work. Also it is quite true that the leaders in the English system both influence and control the action of the House, at least as long as they are able to maintain the confidence of their colleagues.

Because the Executive in this country is considered to be entirely separate from the legislative branch of the Government, he does not enjoy the "immunity from responsibility for political and administrative action which attaches to the English King," as Sir Courtenay Ilbert says in "Parliament," who continues:

He (the President) has more power: he not only reigns, but governs.

Viewing the Government of England from the viewpoint of an American, it appears that all actual power is vested in the House of Commons, and it is directly responsible to the English people.

WHO IS RESPONSIBLE IN THE UNITED STATES? WHICH BRANCH?

The question then arises, Who in our Government is responsible? Who, in the last analysis, must bear the responsibility of either good or bad government?

The President?

Many students say "no" because Congress may not follow any of his suggestions. Or, further, if Congress does follow his suggestions, that the laws enacted by them and signed by him may be declared unconstitutional by the Supreme Court, or, rather, that the Supreme Court may refuse to enforce the laws executed by both the President and the legislative branch.

Some say the President is really responsible to the people. But they admit that under our system of checks and balances that it is often difficult for the President, and sometimes impossible, as stated in effect by Chief Justice Hughes, to fulfill his promises to the people. To me, this is not a final answer. It merely indicates that we must find a definite way of ascertaining the will of the people.

IS CONGRESS RESPONSIBLE TO THE PEOPLE?

Next, is Congress responsible?

The answer again seems to be no, because the President has the constitutional power of veto; and, although a majority might approve passing the bill over his veto, his veto would block the will of Congress unless they mustered a two-thirds majority. More, if Congress enacts a law, and it is approved by the President, according to the Constitution of the United States, it may later be declared unconstitutional; being again a situation in which the Court refuses to enforce the law which the representatives of the people have enacted. There again the claim is made that Congress is not the responsible agent.

Then, if neither the President nor Congress is responsible, is the Supreme Court responsible?

The answer is still no, because the Court cannot initiate legislation. All the Court can do is for five out of its nine members to say that a law, in their opinion, is "unconstitutional," and refuse to enforce it, because they do not like it. NO RESPONSIBILITY, CHAOS; ALL CHECK, NO BALANCE—NO GOVERNMENT

In such a situation it is easily conceivable that if the three branches of government do not cooperate with each other for the common good of the people of the United States the Government might end in chaos. This is purely a gov-

ernmental question, and might apply when any party is in power.

We are told that our Government is one of checks and balances; that the Supreme Court is supposed to be a check on Congress. However, attempts to give the Supreme Court revisionary or veto power of Congress was three times voted down by the Constitutional Convention. Although long and scholarly books have been written to the contrary, I do not believe there was any intention on the part of even a minority of the writers of the Constitution to give the Supreme Court the power to nullify acts of Congress. The truth of the matter is that the idea of checks and balances was in connection with the Senate and House of Representatives. (See below, III, Madison's Journals, Checks and Balances.)

Whatever was in our forefathers' minds, they did not give the Supreme Court such power in the Constitution; but the present fact is, that if the Supreme Court "declares a law unconstitutional," and refuses to enforce it, that constitutes a check on Congress (and incidentally the people) but no balance. That is the end, and nothing of a practical nature can be accomplished to correct the situation.

IS COHERENT GOVERNMENT POSSIBLE WITH WATERTIGHT COMPARTMENTS?

Let us consider the legislative and executive, omitting the Supreme Court, as two arms of government necessary for coordinated action. They are supposed to exist in separate watertight compartments, entirely independent of each other. It seems to me that if this idea is carried out strictly that we can have no proper performance of governmental functions, as I intimated in the beginning of this speech. Certainly, the bringing together of the executive and legislative in closer cooperation would permit the coherent performance of governmental functions.

It is becoming increasingly difficult for Members of Congress to obtain information from administrative departments. As technical and scientific advances are made in civilization, the legislator needs more and more information to carry out his duties intelligently. With all the information locked up in the watertight compartment at the other end of the Avenue, with no real cooperation or contact, the occasional dumping on us of annual reports, ponderous tomes or battalions of dreary statistics, or the personal appearance of administrators before our committees, does not really inform the membership of Congress.

We must understand that since the executive branch is entirely separate from Congress the executive branch is the sole repository of information. We merely write laws, and frequently without sufficient information and understanding. A closer cooperation of the two branches would make the information upon which to draft legislation more readily available and understandable to the Congress. That would produce better legislation.

SPOILS BRIDGE GAP BETWEEN PRESIDENT AND CONGRESS

How has the gap between the legislative and executive branches been bridged in the past? The answer is, generally by patronage and the spoils system, and when the spoils give out there is a conflict between the two branches. For myself, I should prefer the merit system, with a greater cooperation between the executive and legislative based upon political principles and party responsibility.

Now let us return to the House of Commons, predominant in the British Government. Comparatively, the House of Representatives in the United States is in no way predominant. This is not intended as an odious comparison, but as a statement of fact which I believe is well recognized. We frequently permit the allocation to the Senate of the approval of even minor appointments, in spite of such approval not being necessary under the Constitution. More and more this body gives way to the Senate.

LIBERTIES OF PEOPLE PROTECTED BY THEMSELVES

William Bennet Munro says in Governments of Europe:

The chief function of the House of Commons is to protect the people's rights and to assure their liberties against oppression. It was for the attainment of these ends that the House was developed.

That's just another way of saying that the liberties of the people are protected by themselves. It is all obvious; members of the House of Commons are elected by the people, directly responsible to the people, and can be turned out at an election if it does not protect those liberties.

It is upon the principle which I have already mentioned that elections in England are held on issues, and not merely at stated times as in the United States. This is of extreme importance.

Now, there have been numerous claims that the Supreme Court of the United States protects the liberties of the people. But it must be borne in mind that insofar as the real liberties of the people are concerned, such as freedom of speech, press, and other liberties, the record of the Congress of the United States is an excellent one. It might be said that our Congress as a whole has pretty well fulfilled the function of preserving the essential liberties of the people, just as the House of Commons has done.

But sometimes I am asked, "Well, suppose Congress violates the Constitution. Who is to protect us?" My answer is that the Congress has never violated civil or religious liberty as far as the Supreme Court is concerned, except in one possible case following the Civil War, when a Confederate was prohibited from practicing before the Court itself. This was held unconstitutional. But when such laws as the Alien and Sedition Acts were passed during the Adams administration, and the various sedition and espionage acts since, the courts have either enforced the acts or declared them constitutional. There again, without expressing an opinion, the people of the United States must decide by whom, and in what capacity, are liberties to be protected.

PRACTICAL FUNCTIONS OF ENGLISH CABINET SYSTEM

Let us consider some of the practical functions of the English Cabinet system. (See below, IV, Differences English and American systems.) With privileges of the floor, the minister takes direct charge of a bill and pilots it through the House; answers questions of members, and generally cooperates with the legislative branch, of which he is also a member.

No Englishman believes that this is dominating the legislative branch, but rather that the legislative branch is dominating the executive branch, or that the legislative branch is really the Government.

Concerning the workings of our Government, I should like to submit two questions for consideration:

MEMBERS OF AMERICAN CABINET ON FLOOR OF CONGRESS

First. Would it harm our Congress, or democratic government, to permit members of the Cabinet to come on the floor?

I say this because occasionally but not often a fear has been expressed that executive would indirectly dominate the legislative branch. But let us consider this from a practical viewpoint. Sometimes for solid weeks I have heard denunciations of Cabinet members; for some it has been years. The Cabinet officer never gets a chance to answer; suppose he had the privilege of the floor? I have often thought it might save time, make government more efficient, and more responsible. And far from increasing the power of the Executive there might be a tendency to decrease it, or at least to cause a better understanding between the two arms of government.

COOPERATION, LEGISLATIVE WITH ADMINISTRATIVE, NECESSARY

Second. Why should not the various branches of the administration or executive arm of the Government answer questions freely, and offer cooperation to Members of Congress freely? Why should not we establish the regular daily "question hour" (see below for description of custom, V, Question Hour in House of Commons), as in the House of Commons?

I say this because although I believe all departments of our Government are usually courteous and cooperative, they frequently refuse information, assistance, or cooperation because they have instructions from "The Budget" not to do so.

This means that these departments have instructions from the President, of course.

In this we see the growing power of the Executive, and the diminishing power of the legislative. We see a situation wherein ordinary requests for information are frequently not obtainable from the part of the Government under the Executive. If this condition is expanded, it will be no check and balance, but a case where the legislative branch is "balanced off."

Mr. SCHNEIDER of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield to the distinguished Progressive of Wisconsin.

Mr. SCHNEIDER of Wisconsin. The Bureau of the Budget is directly under the President. It is under his command, and in case he should lay down a certain rule, he would not want one of his agents to tell just why he was laying down the rule.

Mr. MAVERICK. I do not know what the rule is, except that the Executive is the sole repository of information.

We have no real information on which to legislate.

The executive and the administrative branches are the sole repositories of information. We have none.

Mr. SCHNEIDER of Wisconsin. Under the gentleman's plan he is not calling the Chief Executive but merely certain Cabinet officers?

Mr. MAVERICK. I would call members of the Cabinet and I would call Harry Hopkins and have him explain why he does certain things.

Mr. SCHNEIDER of Wisconsin. But all the Members of the House could not detain the members of the Cabinet and get all information. One could not get that from a Cabinet officer on the floor of the House, because he would have to be here half the time.

Mr. MAVERICK. Yes, you could, because you would have a question hour each day and he could answer questions in that hour, either orally or in writing—

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. MAVERICK. Gladly.

Mr. THOM. Under the British Parliament system a member of Parliament may present a question known as an "interrogatory."

He submits that interrogatory in a question box, and the particular Cabinet officer to whom it is addressed then has time to prepare his answer. When he appears in the Parliament he makes a full explanation of that question, and that question alone. I have at home some of the interrogatories in printed form that were addressed to members of the Cabinet of England.

It seems to me it works very effectively, but you have to confine the issue. You cannot have a man coming in here in catch-as-catch-can fashion and answer any question propounded.

Mr. MAVERICK. I thank the able gentleman for his cooperation and excellent explanation. Further answering, a member of Parliament makes a written request, and I think it is within 48 hours that the member of the Cabinet answers the question. He hands it up to the clerk and in 48 hours the question is answered. If the Cabinet member refuses to answer, they have some parliamentary practices that are similar to ours, demanding information, but in any event the Cabinet member is given sufficient time to answer.

Mr. BREWSTER. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. BREWSTER. Has it not been the practice that with matters which concern the district of a Congressman or a Senator, he was usually given the information as quickly as anyone else—as to what was to be done affecting a given project? Has not that hitherto been the usual practice? They would tell a Congressman as quickly as they would tell anybody else.

Mr. MAVERICK. I think so. I do not know.

Mr. BREWSTER. It has been brought to my attention in the last 24 hours by two of the most distinguished and

loyal Members on the other side of the aisle that recently that practice has been entirely changed, and that announcements of projects in the various districts are given to the press before they are given to the Member of Congress, even though the Member of Congress has registered his interest.

Mr. MAVERICK. That has happened to me, but lately not so much.

Mr. BREWSTER. They do not do it any more?

Mr. MAVERICK. No; but I think that practice ought to be corrected, too. Congress should know policies; a Member should always be informed of his district. I think the establishment of the question hour would correct the situation.

Mr. BREWSTER. The gentleman would agree with me that it would certainly be proper for a Member of Congress to be informed as soon as members of the press?

Mr. MAVERICK. Sooner.

We all understand that if this Government is to function more efficiently there must be greater cooperation of the legislative and the administrative operations. We sit on top of Capitol Hill and yell about the bureaucrats and braintrusters; how much better would it be if the two functions worked together more closely? Munro says the British Parliament question hour "keeps the experts responsive to a body of laymen"—a good thing.

Somehow there is a skittishness about the mere asking of a question in this country. If a Republican wants to know something, it is almost treason for a Democrat to vote for him to have the information. If the Republican asks, it is usually said that he is "only trying to embarrass the administration," and is therefore usually refused by a vote of a Democratic Congress. The same has been true when the Republicans were in power.

It is true that questions are often asked to embarrass the administration; sometimes the request would require such an expenditure as would make the answer too expensive. But on the whole, it would appear to me that no member of the Cabinet, no bureau, department, or section of government should maintain any practice they could not explain publicly.

GOVERNMENT SHOULD DELIVER THE GOODS

Mr. Speaker, each person can make whatever conclusion he cares to make about the facts that I have submitted. But one conclusion is obvious: In the United States of America the people are entitled to governmental responsibility, that is, that the Government should deliver the goods.

When I use the expression "deliver the goods" I do not mean that we should necessarily bring on any Utopia, or give perfect results, but at least we should carry out our responsibilities; and that if such responsibility is not met that the people of the United States should have some redress.

HAVE WE A HOUSING PROGRAM OR NOT?

Have we a program or not? When we get to discussing our program we talk about housing. It is said we are going to spend \$16,000,000,000; but nobody knows whether we are going to spend \$16,000,000,000, a dime, or nothing. Or, again, take the proposition of creating the seven planning boards, like seven T. V. A.'s. I am for it, but I want to get it done. I want the men who are responsible for it to come here on the floor and submit themselves to interrogation. Then we should act.

Mr. VOORHIS. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. VOORHIS. We hear a lot of complaint sometimes about Congress giving to a certain body or a certain department a specific job to do, but not being able to legislate in detail as to exactly how it is to be done, for the reason that it is so complicated that we cannot do it. In other words, Congress says what is to be done and limits the money to be spent but leaves to expert managers the working out of practical details. Does not the gentleman believe that questions and complaints connected with that problem would be answered if we were to have coordination such as he suggested?

Mr. MAVERICK. Certainly; the gentleman is right. We question the action of some bureau, some department. We

get up on the floor and raise Cain about bureaucracy and say somebody ought to be impeached, we bellow about the Constitution; whereas the whole thing could be settled in 15 minutes by a simple conversation or an answer to a question.

I hear people say that we should not have "delegation of power," but we delegate power to a bureau, and turn the bureau completely loose, leaving it to float down the River of Doubt and Forgetfulness. If we want to cure that condition, we should have people here on the floor to answer for it. That is a good way for us to deliver the goods.

Mr. JOHNSON of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. JOHNSON of Minnesota. The gentleman spoke about a \$16,000,000,000 potential investment in housing. We do not need to ask the Federal Housing Administrator whether or not that is going to work, for we know it is not with an interest rate of 5½ percent; that is already doomed.

Mr. MAVERICK. I think the gentleman is getting on specific points, and outside the principle of this discussion. The point is, that if we had the responsible man here on the floor we could get an answer right away whether it would work or why it would not work. And I think we would find, as the gentleman suggests, 5½ percent is too much; in England people borrowed at 3 percent to build homes.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield.

Mr. COCHRAN. The gentleman realizes that the rules of the House provide a method whereby any Member may request information from a department.

Mr. MAVERICK. Yes.

Mr. COCHRAN. If the resolution the Member introduces is agreed to by the House the information will be brought to him.

Mr. MAVERICK. It is a very difficult and unsatisfactory process. I have information I want to get right now that one of my friends will not give me because he has instructions he must follow.

Mr. COCHRAN. Does the gentleman realize that if that information were available that Members of Congress would be harassed by their constituents to increase this appropriation, decrease that appropriation, or to get to the Bureau of the Budget before the Bureau sends up its recommendations?

Mr. MAVERICK. That is absolutely the way it ought to be; our constituents ought to have the right to harass us; they ought to have the right to know whether we have high appropriations or low appropriations. The idea of government responsibility is the opposite of secrecy, and secrecy of the administrative proceedings is what I am kicking about. I think it is wrong; I think facts ought to be brought out here on the floor, where both Congress and the people will know.

Mr. COCHRAN. As a matter of fact, the gentleman is going to get the information the first week that Congress convenes; the President is going to send it down to us in his annual Budget message. Why not give him a chance to make up his Budget?

Mr. MAVERICK. I am not talking about the Budget; I am talking about the Legislature. We ought to be kept informed all of the time.

METHODS OF GOVERNMENT; RULES COMMITTEE

Let us discuss some methods of government. Why not at least try these suggestions for a while? Such practices might be considered "innovations" but certainly they would do no harm. Indeed, the practices might be of great benefit toward a clear understanding of government by the Members of Congress themselves, enabling them to more intelligently vote on issues before Congress.

And what about our Rules Committee? As the country knows, a majority of that committee has recently steadfastly refused to permit the House to vote on an administration measure, the wage and hour bill. Mr. SNELL, minority leader, gives the laugh to the Democratic Party for not being able to get consideration of its own bills, pledged by the party. I

conclude from his statement that he believes the action of the Rules Committee in obstructing its own party to have been an example of irresponsibility.

It seems to me that the position of the minority leader is correct. We, the Democrats, have an overwhelming majority. We have pledged in every way to enact a wage and hour bill. But the Rules Committee, through its Democratic members, defies the Democratic Party and the Democratic leadership to the last. It is true that now, by the difficult process of getting 218 Members of the House to sign a petition, the wage and hour bill will be considered—signed by 196 Democrats, 9 Republicans, 8 Progressives, and 5 Farmer Laborites. This is final victory for the Democratic leadership, but it took members of other parties to put it over.

This is direct repudiation by the House of the Rules Committee, or at least of those Members who attempted to obstruct its consideration in the House.

Had the Democratic leadership failed in getting out the bill to be voted on, it would have been repudiation for them; indicating the House was with the Rules Committee rather than the leadership, the President, and the party.

Now comes an interesting question, based on responsibility.

In view of the repudiation of the Rules Committee, why shouldn't they resign? I do not question their motives, but it does seem that Congress should some day develop policies of responsibility. I do not believe that resignations should occur on every little difference of opinion, but this was a major issue, and acknowledged as such.

Mr. Speaker, I repeat that the people are entitled to responsibility. This is not merely in application to the Democratic Party but to the Republican as well. For that reason, both the Democrats and Republicans should so fix their practices as to give to the American people responsible government.

Responsible government is always necessary, but more so now than ever. We are having what is termed a business recession, and what may turn out to be a real depression. There is an extreme amount of bitterness in the press, public opinion, private conversation, and speeches of public officials. In the agriculture bill which we have recently discussed, the most serious human and economic questions were brought before the people. In the matter of taxation there is the widest variance of opinion.

In accomplishing these ends there are certain definite things that can be done. If we have a responsible government, and, at the same time, the merit system, we will certainly render to the American people what is generally known as "better service," or coherent governmental action. For that reason, I have introduced three simple House resolutions: The first one being to permit the right of debate to members of the Cabinet; the second one being to establish the "question hour"; and the third one to change the rule of having 218 Members to discharge a committee, to 145, which is much more equitable and just. (The gist of these resolutions is contained below under VI, House Resolutions Presented.)

The people of America are really approaching a major crisis. To have a government which is not responsible, with branches of the Government working against each other, and to continue without even partially permanent policies, is to invite disaster.

Mr. Speaker, I do not believe that we, or the American people, really understand how serious this question is. In any event, I present these views as being worthy of the study of the Congress of the United States. [Applause.]

I. THE ENGLISH CONSTITUTION

To say it is "unwritten" is misnomer

To say the British Constitution is unwritten, is in a sense incorrect. For, indeed, the constitution is evidenced by an enormous mass of writings; in fact, besides many "charters" are the thousands of acts of Parliament, which are a part of it.

The best way to explain the English Constitution, in my opinion, is to say that it is an Englishman's idea of what is fair, based on English precedent written and unwritten for at least seven or eight centuries, and probably many more.

For instance, a part of the constitution most often mentioned is the Magna Carta, or Great Charter, wrested from King John in 1215. It is usually referred to as the foundation of the English Constitution.

Most writers list some five elements in the English Constitution—first, the Charters, which include Magna Carta, 1215, just mentioned; the Petition of Right, 1628; the Agreement of the People, 1647; the Bill of Rights, 1689; then certain acts such as the Act of Settlement, 1701; the Acts of Union with Scotland, 1707, with Ireland, 1800; the Great Reform Act, 1832; the Parliament Act, 1911, when House of Lords drew in their horns; Government of India Act, 1919; Irish Treaty, 1921; and the Statute of Westminster, 1931. The other four elements are the usual statutes of Parliament, judicial decisions (bearing in mind Parliament has full power to repeal or enact anything and that no court can declare an act of Parliament void or unconstitutional), the common law, and customs and usages.

As stated elsewhere, the House of Commons guards the liberties of the people. The people elect the House of Commons; in other words, the people protect their own liberties.

II. HISTORICAL BACKGROUND CABINET IDEA

Historically this matter has been discussed ever since the Nation was formed. As I have stated, there is not any question at all about the constitutionality and propriety of the practice. Thorough investigation of this was made in 1864, and a report made recommending adoption of the idea of bringing on the floor members of the Cabinet.

1. 1864 Report calls for open executive influence

The House committee said on that date as follows:

First. That it is the duty of Congress to avail itself of the best possible means of information in relation to the measures of legislation on which it may be called to act.

Second. That the influence of the executive department upon the legislative, whatever it may be, should be open, declared, and authorized, rather than secret, concealed, and unauthorized.

2. Senate committee favors Cabinet presence in 1881

In the Senate, Forty-sixth Congress, third session, February 4, 1881, a select committee reported favoring the plan and made long historical references as to the propriety and constitutionality.

Among other things they also said:

Your committee is not unmindful of the maxim that in a constitutional government the great powers are divided into legislative, executive, and judicial, and that they should be conferred upon distinct departments. These departments should be defined and maintained, and it is a sufficiently accurate expression to say that they should be independent of each other.

But this independence, in no just or practical sense, means an entire separation, either in their organization or their functions— isolation, either in the scope or the exercise of their powers. Such independence or isolation would produce either conflict or paralysis, either inevitable collision or inaction, and either the one or the other would be in derogation of the efficiency of the Government.

Such independence of coequal and coordinate departments has never existed in any civilized government and never can exist.

James G. Blaine was one of the signers.

3. Woodrow Wilson believed that the cabinet system of government was the best

He said:

Cabinet government has in it everything to recommend it. Especially to Americans should it commend itself. It is, first of all, the simplest and most straightforward system of party government.

However, his idea was to have strictly the English system, that is, that Members of Congress or Parliament could also be members of the Cabinet, which would require a constitutional change. He went much further than any other American authority I can find. The resolutions which I have introduced require no constitutional change whatever, since the members of the Cabinet would not be Members of Congress but would merely have privileges of the floor and debate, and would be required to answer questions.

However, Mr. Wilson, being strongly attached to the cabinet principle, conforms to the idea that full discussion will bring to light the truth, and says also:

Charlatans cannot long play statesmen successfully when the whole country is sitting as critic. And in Congress itself a single

quick and pointed and well-directed question from a keen antagonist may utterly betray any minister who has sought to conceal. Even business routine will tear away any thin covering of plausibility from the shams of dishonest policy. There is nothing so wholesome as having public servants always on public trial.

Wilson believed that the independence of the executive and legislative should be maintained, stating that they should not be consolidated, but that their antagonisms should be neutralized by their association and their interests harmonized, adding "a Cabinet committee would constitute such a bond."

He also said:

We must have legislation which has been definitely forecast in party programs and sanctioned by the public voice. Instead of the present arrangements for compromise, piecemeal legislating, we must have coherent plans from recognized party leaders and means for holding them to a faithful execution of those plans in clear-cut acts of Congress.

At another time Wilson stated that representative government is that form which best enables a free people to govern themselves. Further, that the business of representation was the discussion of public business. He added:

They (Congress) should legislate as if in the presence of the whole country, because they come under the closest scrutiny and fullest criticism of all the representatives of the country speaking in open and free debate. Only in such an assembly, only in such an atmosphere of publicity, only by means of such a vast investigating machine can the different sections of a great country learn each other's feelings and interests.

4. President Taft recommends in 1912

Another one recommending the presence of Cabinet Members on the floor of Congress was President William Howard Taft in a message to Congress on December 19, 1912. He had already been defeated. As is well known, no particular move was made to adopt the system during the Wilson administration.

Mr. Taft said in part as follows:

I recommend the adoption of legislation which shall make it the duty of heads of Departments—the members of the President's Cabinet—at convenient times to attend the session of the House and the Senate, which shall provide seats for them in each House and give them the opportunity to take part in all discussions and to answer questions of which they have had due notice.

The rigid holding apart of the executive and the legislative branches of this Government has not worked for the great advantage of either. There has been much lost motion in the machinery, due to the lack of cooperation and interchange of views face to face between the representatives of the Executive and the Members of the two legislative branches of the Government. It was never intended that they should be separated in the sense of not being in constant effective touch and relationship to each other. The legislative and the executive each performs its own appropriate function, but these functions must be coordinated.

Time and time again debates have arisen in each House upon issues which the information of a particular Department head would have enabled him, if present, to end at once by a simple explanation or statement. Time and time again a forceful and earnest presentation of facts and arguments by the representative of the Executive whose duty it is to enforce the law would have brought about a useful reform by amendment, which in the absence of such a statement has failed of passage. I do not think I am mistaken in saying that the presence of the members of the Cabinet on the floor of each house would greatly contribute to the enactment of beneficial legislation.

Nor would this in any degree deprive either the legislative or the executive of the independence which separation of the two branches has been intended to promote. It would only facilitate their cooperation in the public interest.

III. MADISON'S JOURNAL—CHECKS AS BALANCES

Supreme Court was not considered check on Congress

Frequently we hear the Supreme Court has a right to declare acts of Congress unconstitutional because we are a government of "checks and balances"; that the Supreme Court is supposed to check Congress. Wholly aside from this question of the power of the Court, there is no evidence that the Court was intended as a check on Congress.

In truth, this theory of the Court being a check on Congress is quite recent. I can remember when I attended high school back in 1912 that we were told that the forefathers created the House of Representatives as a House of Commons and the Senate as a sort of House of Lords, and this is historically correct. Even then no such doctrine of the Court being a check on Congress was taught.

So I will quote here some excerpts from Madison's Journal of the Constitutional Convention of 1787, held in Philadelphia:

Governor Randolph, of Virginia: "He thought it would be impossible for the State legislatures to appoint the Senators because it would not produce the check intended. The first branch of the Federal Legislature should have the appointment of the Senators, and then the check would be complete. There will also be a check in the revisionary power of the Executive."

Mr. Williamson, of North Carolina: "The different modes of representation in the different branches will serve as a mutual check."

Mr. Patterson, of New Jersey: "It is urged that two branches in the legislature are necessary. Why? For the purpose of a check. . . . Do the people complain of Congress? No; what they wish is that Congress may have more power."

Mr. Bedford, of Delaware: "The two branches would produce a sufficient control within the Legislature itself."

Mr. Gouverneur Morris, of Pennsylvania: "It is confessed on all hands that the second branch ought to be a check on the first, for without its having this effect it is perfectly useless. The first branch can only be checked by ability and virtue in the second branch. . . . History proves that the men of large property will uniformly endeavor to establish tyranny. Give them the second branch . . . and this lust of power will ever be checked by the democratic branch, and thus form a stability in your Government."

Judge Ellsworth, of Connecticut: "Is it not the case in the British Constitution, the wisdom of which so many gentlemen have united in applauding? Have not the few, the House of Lords, a check upon the many, the House of Commons, and one upon both?"

Mr. Dickinson, of Delaware: "Was of the opinion that the mode by him proposed, like the British Houses of Lords and Commons, whose powers flow from different sources, are mutual checks on each other and will thus promote the real happiness and security of the country."

Mr. Martin, of Maryland: "If gentlemen conceive that the legislative branch is dangerous, divide it into two."

Mr. King, of Massachusetts: "The Congress must be divided into two branches, by this means it may be balanced, which is impracticable with one body."

Mr. Patterson, of New Jersey: "There is no check in a single branch. There should be distinct and independent branches, reciprocal control."

I present these few statements merely to show that the term "checks and balances" is used frequently without its correct meaning. But it is also important for the people to know that if the Government conducts itself as three warring sections or departments, the three checking each other from carrying out the will of the people, that the result may be chaos.

IV. DIFFERENCES, ENGLISH AND AMERICAN SYSTEMS

Munro explains the differences in the British and American systems. He says that "fundamentally they are alike, but there are some sharp contrasts between the two." I have here followed him somewhat, but have combined his statement with other research:

1. Executive power; party responsibility compared

In the United States there is formal executive leadership, or headship, in the form of the President. In England there is none as we Americans understand it; a Cabinet drawn chiefly from the House of Commons is the real executive arm of the Government. The Crown is merely the symbol-head of executive power.

To vote against the Government, or the party in power, is the same as voting to put the opposition in power. Or to explain it in the American sense, a vote against the Democratic Party by a Democrat would be to possibly precipitate an election, and to put the Republicans in power.

But Munro says:

The American Congressman, when he votes against some measure which the administration is known to support, knows full well that nothing catastrophic will happen. His party will not go out of power, if it is in power; it will continue in office to the end of its prescribed term, even though it were turned down by the House of Representatives on one measure after another.

The mess of our Rules Committee, the statements of Mr. Chief Justice Hughes recited in the beginning of this address, the general confusion occurring this session, the existence of our departments of Government in separate watertight compartments, the patronage system, shows the necessity for the development of policies and customs to determine responsibility. This must be faced by the American people, and an

understanding must be had as to the Executive power—and of the legislative and judicial as well.

2. Introduction of bills—Public and private

A second difference is that in Congress any Member who cares to may introduce a bill. In this, the Seventy-fifth Session of Congress, about 12,000 bills have been introduced. In other sessions as many as 18,000 have been introduced. But in Parliament, leaders of the party usually confer, work out the program, and then introduce a bill designed to meet the situation. As a result, the bills generally become law, and in addition comparatively few other bills are introduced.

Essentially, all bills introduced in our Congress are public bills, although they are for public and private purposes. But in England there is a distinction between public and private bills. A public bill concerns the general welfare, a private bill concerns things not ordinarily applying to all the public, such as a delegation of power to a city or the building of a bridge or road.

Also in England there are public bills, usually introduced by a member of the Government or head of a committee; and private members' bills, meaning bills introduced by an ordinary member who is not a leader of the party. In the United States there is no such distinction made; and in England the private member's bill has little chance of passing.

It might be noted, however, that the custom of committee chairmen introducing bills is increasing in this country, and that passage of bills of other Congressmen are becoming much more difficult.

It is very interesting to note the difference of the consideration of an English and an American bill. I have placed them in parallel columns for ready comparisons:

American

Introduction.
Referred to appropriate committee by Speaker.
Committee considers; reports out.
Chairman of committee goes to Rules Committee and requests resolution (rule) for its consideration.
Rules Committee reports out "Rule" (if it wants to), and the House either accepts or rejects.
If accepted, House resolves itself into Committee of the Whole, debates bill. Then bill is read by sections, and amendments are offered by any member with right to talk five minutes each.
Reported back to House with amendments.
Separate vote on amendments if demanded.
Engrossed and read a third time.
Vote by House on passage.
Transmittal to the Senate by message.
Consideration by the Senate (if they wish to take it up), according to their own rules. This may be within a reasonable time, or never.
Returned to House, either with or without amendments. If without amendments, it goes to enrollment; if with amendments, there are various settlements through conferences, which may last a very long time.
Enrollment process: First on parchment, then examination by Committee on Enrolled Bills.
Signed by Speaker and President of the Senate.
Transmitted to the President of the United States.
Approval by President. Or disapproval, in which case Congress may pass over veto by two-thirds vote.
Law filed with Secretary of State.

English

Introduction immediately followed by first reading, which is formal.
Second reading. This is known as "Second Reading Debate" and includes explanation of bill, and is for purpose of determining viewpoint of House. This is so committee will not take the bill blind. It results in less amendments, and less in bills being "torn to pieces."
Goes to committee. Chairman is said to be impartial. Direct contact with Cabinet member responsible and experts always readily available. Braintrusters pal with the M. P.'s.
Report stage. Apparently they are lucky enough not to have a Rules Committee; but they go into the Committee of the Whole, just as we do.
Amendments.
Third reading—no Senate to worry about; the House of Lords goes through some rigamarole but ends by saying yes, and the King very graciously gives his Royal assent. Later Gentlemen walk around in beautiful scarlet robes; they use ancient Norman phrases; it is all very dignified and orderly. But to explain it in the American language, it is the will of the people being carried out, which is swell.
No judicial review. Courts enforce law and people therefore have no misunderstanding.

American—Continued

After this the bill has to run the gauntlet of the courts. In many instances there are numerous different rulings over United States by various Federal courts. Bill may not be passed on until fifty-odd years afterward, like Dred Scott decision, which declared the Missouri Compromise unconstitutional, and helped bring on the Civil War.

It is explained elsewhere, however, that in Parliament the private members have little chance of getting their bills enacted into law. In other words, if the leaders of the party are not behind a bill it seldom if ever passes. But no such situation as a Rules Committee holding up the House leadership and its own party could possibly exist in the English House of Commons.

On the other hand, in the United States House of Representatives any Member of Congress has a chance of having his bill heard and enacted into law, in spite of party leadership and the Administration—for instance, the Patman bonus bill and the Frazier-Lemke bill. Still, we are forced to admit there is a lack of party and governmental responsibility in the United States.

I believe that we can improve our system by having members of the Cabinet on the floor, and without developing the weaknesses of the British system. The privileges of all Members of Congress would remain the same, maintaining the best elements of our present practices.

3. Committee—Difference in presentation of bills

The third difference is the committee work. In England the seniority rule is not in effect. The work presented to the committees is—at least according to authorities—completely nonpartisan, especially as to private bills.

In the House of Representatives, bills are sent directly to the committee and afterward are sent to the House, which may amend it in dozens of ways. In England there is a preliminary reading and a preliminary debate, as shown in the parallel columns above.

In the House of Representatives the committees run the risk of their bills never even being considered even if they vote it out; then if it does reach the floor it may again be defeated. In the House of Commons, bills which come out of committees usually pass.

4. Committee chairmen, their functions; name of bills

The fourth difference is that the chairmen of committees do not receive the publicity in England that they do in the United States. Bills have no names in England as to individuals, such as the Volstead Act, Patman bonus bill, or the Wagner-Steagall Act, but are titled as to their true meaning.

5. Debate—Yielding floor; differences

The fifth difference is the matter of yielding the floor. In the House of Commons when one takes the floor for debate he is permitted to conclude his statement without being interrupted by other members of the House. As we all know, it is difficult for any of us to finish a debate without being interrupted many times. However, this is not important, and in any event the practice depends on the individual. In the present presentation in the body of my speech, questions and statements of other Members are noted. I was glad to do this, and it added to the interest and information of the debate.

6. Record of debate—Leave to print

The CONGRESSIONAL RECORD has its twin in the Parliamentary Debates, called the Hansard, which covers the debates. There is no such thing as leave to print in Parliament. It merely covers what is actually said, and is an accurate but drearier publication than the RECORD, which is a feat, at that.

Personally, I believe our custom is much the better. Some complain that everything is going into the RECORD. But the cost to the American people is extremely small. And the RECORD is about the only newspaper where there exists the

most complete freedom of speech—and the fact that everything goes in is a benefit, and not a detriment.

V. QUESTION HOUR IN THE HOUSE OF COMMONS
Is effective check on bureaucratic tendencies

In the question hour, which is each session day and immediately follows the reading of the journal, members' questions presented in writing the day before are read by a clerk.

Of this, Munro says:

This is a feature of English parliamentary procedure which has no counterpart in American legislatures.

No member can ask more than four questions at a single sitting. According to the rules of the House of Commons these questions cannot contain any "argument, inference, imputation, epithet, or ironical expression." And they are naturally restricted strictly to requests for information.

And Munro further says:

The importance of the question hour, with all that it implies, has not been sufficiently appreciated by foreign students of English Government. It is an effective check upon those bureaucratic tendencies which are bound to appear in every government.

Concerning these customs, Munro further says:

Ministers sometimes get irritated at the flood of questions: their subordinates (who have to prepare the answers) blaspheme at the members who frame them; but the private citizen has no right to complain. The question hour in the House of Commons is probably worth all that it costs the British taxpayer.

Munro concludes:

As a palladium of his rights and liberties it is worthy to be ranked with trial by jury and the writ of habeas corpus.

The moral effect upon his ministers is good, for they know that any administrative action, however unimportant, may be dragged out in the glare of publicity.

Method described by Sir Courtney Ilbert

I also include excerpts from the book, *Parliament*, by Sir Courtney Ilbert, for many years clerk of the House of Commons. I do this because Munro is an American, and Sir Courtney's statement is that of an Englishman. He says:

Any member has the right to address a question to any minister of the Crown, being also a member of the House, about the public affairs with which he is officially connected, or a matter of administration for which he is responsible. The proper object of such a question is to obtain information on a matter of fact within the special cognizance of the minister, and the rules and the practice of the House limit the right to ask questions so as to confine them to this object. The practice of putting questions to ministers developed rapidly during the latter half of the nineteenth century, and tended to occupy so much time that restrictions became necessary.

Under the existing rules, notice of any such question must—except in special cases—appear on the notice paper of the House at least 1 day before the answer is to be given, so that the minister may have time to prepare his answer. If a member wishes his question to be answered orally, he marks it with an asterisk, and a period of about three-quarters of an hour is set apart on four afternoons of the week for the answering of such questions.

During that period, supplementary questions may be asked within limits determined by the Speaker, but no debate is allowed to arise, and in this respect the English practice differs from the "interpellations" of the French Chamber. A minister cannot be compelled to answer a question, and sometimes declines to do so on the ground of public interest. It is for him to determine what kind of answer is likely to be considered proper and sufficient in the circumstances of the case. An unsatisfactory answer may give rise to a motion for adjournment of the House, which, under one of the standing orders, is the technical mode of obtaining a discussion at a later hour of the day. But such a motion is not allowed unless the matter to be discussed is a "definite matter of urgent public importance," and the Speaker is strict in his interpretation of this rule. The answers to "unstarred" questions, and to "starred" questions for which time cannot be found within the allowed period, are circulated to members subsequently.

Asking questions in the House is one of the easiest methods by which a member can notify his constituents the attention which he devotes to public affairs and to their special interests. For this and other reasons, the right to ask questions is specially liable to abuse, and its exercise needs careful supervision by the Speaker and those acting under his authority.

But there is no more valuable safeguard against maladministration, no more effective method of bringing the searchlight of criticism to bear on the action or inaction of the executive government and its subordinates. A minister has to be constantly asking himself, not merely whether his proceedings and the proceedings of those for whom he is responsible are legally or technically defensible, but what kind of answer he can give if questioned about them in the House, and how that answer will be received.

VI. HOUSE RESOLUTIONS PRESENTED

1. *Providing Cabinet members right of debate, H. Res. 377*

The following is the resolution to permit members of the Cabinet to have part in debates:

The heads of Departments shall have the right to participate in debate in the Hall of the House on matters relating to the business of their respective Departments; are invited to be present in the Hall of the House during such times as matters concerning their Departments are being considered or debated; and are requested to cooperate in the conduct of the Question Hour for the benefit and information of the House.

2. *Establishing Question Hour, H. Res. 378*

The following establishes the Question Hour:

There shall be held in the House immediately following the reading of the Journal on each Monday, Tuesday, and Wednesday a Question Hour, which shall not consume more than one hour, during which heads of Departments are requested to answer orally or in writing questions propounded by Members of the House. Any such question shall be deposited in triplicate with the Clerk of the House who shall transmit a copy to the head of Department concerned. Each question to be answered shall be read to the House and answers thereto, if not delivered orally, shall be read to the House. No question shall be read to the House unless the head of Department to whom it is addressed has transmitted to the House his reply in writing or has indicated to the House his readiness to deliver an oral answer. There shall be printed in the RECORD any question (and the answer thereto) or answer the reading or delivery of which was begun but remained uncompleted at the termination of such hour.

3. *Amendment of 218 rule and substitution of 145 rule, H. Res. 379*

As all Members of the House know, it takes 218 Members of the House to sign a petition to even get a bill considered, if the Rules Committee refuses, as in the case of the wage and hour bill, an administration and party measure. This makes it easier and it follows:

When Members to the total number of 145 shall have signed the motion, it shall be entered on the Journal, printed with the signatures thereto in the CONGRESSIONAL RECORD, and referred to the Calendar of Motions to Discharge Committees.

Mr. RAYBURN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RAYBURN. Several Members during the last day or two have been asking me with reference to the discharge petition which was signed up last week whether if we adjourn over tomorrow a sufficient number of legislative days will have intervened to make the wage-hour bill in order on Monday. I ask the Speaker if that is the fact?

The SPEAKER. In reply to the inquiry of the gentleman from Texas, and in order to avoid confusion about a proper decision of this question if it should arise, the Chair quotes the following excerpt from the discharge rule:

When a majority of the total membership of the House shall have signed the motion it shall be entered on the Journal, printed with the signatures thereto in the CONGRESSIONAL RECORD, and referred to the Calendar of Motions to Discharge Committees.

On the second and fourth Mondays of each month, except during the last 6 days of any session of Congress, immediately after the approval of the Journal, any Member who has signed a motion to discharge which has been on the calendar at least 7 days prior thereto, and seeks recognition, shall be recognized for the purpose of calling up the motion; and the House shall proceed to its consideration in the manner herein provided without intervening motion except one motion to adjourn.

The petition to discharge the Committee on Rules from consideration of the rule involving the wage and hour bill was signed on December 2 by 218 Members of the House and immediately was referred to the Calendar of Motions to Discharge Committees under the rule the Chair has just read.

In answer to the inquiry of the gentleman from Texas the Chair holds that without any session of the House of Representatives tomorrow the 7 legislative days necessary in order to make this matter in order on Monday next will have expired, and there is no question in the mind of the Chair that the rule will have been complied with if we do not meet tomorrow. If that question should be raised on Monday next, the Chair would so hold.

ADJOURNMENT ORDER

Mr. RAYBURN. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Under a previous special order of the House the gentleman from Massachusetts [Mr. TREADWAY] is recognized for 15 minutes.

(Mr. TREADWAY asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. TREADWAY. Mr. Speaker, I desire to call the attention of the House to H. R. 8629, a bill introduced by me on December 6, entitled—

A bill to repeal the undistributed profits tax as of the taxable year 1937, to impose in lieu thereof a one-point increase in the normal tax upon corporations, and to restore the flat rate of 12½-percent tax upon capital gains.

This measure carries out the unanimous resolution of the Republican Members of the House in favoring the immediate retroactive repeal of the undistributed-profits tax.

It proposes to make up the loss of revenue by increasing the normal corporate income tax.

The measure also carries out the action of the Republican members of the Ways and Means Committee in favoring the restoration of the 12½-percent limit on capital gains, such as we had in the law from 1921 to 1934.

There can be no question but what these two taxes have been a major contributing factor in the present Roosevelt depression.

Both have contributed materially to the instability of business as well as to increased unemployment.

Both are responsible for the disinclination on the part of investors to put their money into productive enterprise.

When the Government steps in and takes the lion's share of any gains, and at the same time refuses to share the loss, there is not much inducement for private capital to be put to work.

As a consequence thousands upon thousands of men are being deprived of employment which private capital otherwise would be glad to furnish.

The present business depression has reached an acute condition.

Immediate action along the lines of the bill I have introduced is necessary, if the present downward spiral of business is to be checked.

The deferring of action until the next session, as proposed by the Democratic majority on the tax subcommittee and as confirmed by the leaders of the administration, is both unwarranted and unwise.

The country demands action now.

Business needs action now.

There is no reason in the world why we cannot act now.

It is said that there is not time to draft a proper bill.

This is all nonsense.

It may well be that it would take time to draft the complicated and cumbersome bill that the Democratic majority on the tax subcommittee propose to bring out.

But that bill will not be a solution to the ills that confront us today.

The Democratic majority propose to retain the principle of taxing undistributed profits.

And it proposes to continue to take the lion's share of the capital gains of those who furnish the capital with which business operates and labor is given employment.

The country does not want that kind of a bill.

The unconditional, immediate, retroactive repeal of the undistributed-profits tax is demanded as a partial solution to the present business nose dive.

It would be no trouble at all to draft a bill to carry out that purpose.

All you would need to do is draft one sentence to repeal the undistributed-profits tax.

The changes in the rate structure of the corporate income tax could be effected by simply striking out the present rates and inserting rates 1 point higher.

The House could act on such a measure under suspension of the rules in 40 minutes' time.

There is absolutely no excuse for failure to act now.

Even as regards the modification of the capital-gains tax, no drafting difficulties need be met.

The provisions of my bill respecting the taxation of capital gains are copied from previous statutes.

No new language would have to be prepared to restore the 12½-percent limit on capital gains.

If the Ways and Means Committee wanted to, it could bring out a bill immediately to take care of the situation.

Now let me devote a few minutes to the details of the measure I have introduced.

It repeals, as I have said, the iniquitous undistributed-profits tax back to January 1 of this year.

To make up the loss in revenue, it increases the present normal income tax on corporations by 1 percent in each bracket.

The present rates are 8 percent on the first \$2,000 of net income, 11 percent on amounts between \$2,000 and \$15,000, 13 percent on amounts between \$15,000 and \$40,000, and 15 percent on amounts over \$40,000.

These rates would be changed under the bill to 9, 12, 14, and 16 percent, respectively.

Personally, I would not be opposed to increasing the rates by 2 percent in each bracket if necessary.

I am sure business concerns would prefer paying a higher tax based on ability to pay than the present undistributed-profits tax, which is based on inability to pay, the rates of which range from 7 to 27 percent.

I would even be willing to go back to the rates as they existed before the undistributed-profits tax was imposed; namely, 12½, 13, 14, and 15 percent.

The Treasury estimates the present undistributed-profits tax to yield \$150,000,000 from corporations.

A 1-percent increase in the normal corporate income tax would make up a large part of this revenue.

According to the Treasury's own figures, a 2-percent increase would make up the entire amount.

Dividends for the past year have for the most part been paid out.

Hence, even though the undistributed-profits tax is retroactively repealed, the Treasury will still get an increased revenue from stockholders, due to the accelerated dividend distributions.

The only loss of revenue would be with respect to the penalty tax paid by corporations which could not distribute their earnings.

It is doubtful if the undistributed-profits tax collected from corporations this year will reach more than seventy-five millions, due to the large dividend distribution.

The 1-percent increase in normal corporate rates which I have proposed will make up this loss.

Even if the loss is greater, there still remains the question whether Congress wants to collect this "blood money" from struggling, debt-ridden corporations who cannot escape the penalty tax.

There still remains the further question whether we want to hijack the corporation which by State law is prohibited from paying dividends until it becomes solvent.

While the Treasury makes estimates for the Democratic majority, the accuracy of those estimates can be questioned, as it is absolutely impossible to correctly forecast future business trends.

We have had some experience with this in the past year; already the Treasury has had to revise its 1938 estimates twice, and they will undoubtedly have to be revised again—possibly two or three more times.

If the present business decline continues, the revenues may be as much as half a billion short this year.

And if unemployment continues to increase, we may have to put up another billion and a half for relief.

Only today the press carries the story that Federal relief projects would be expanded to take care of 350,000 idle, which, of course, includes only a part of those who have lost their jobs since the present slump began.

If business is relieved of these burdensome taxes we can avoid this loss, which will otherwise be much greater than any loss which the repeal of these taxes will occasion.

To revert to the proposed changes in the capital-gains tax, the bill would give taxpayers an option of segregating their capital gains from other income and paying a flat rate of 12½ percent, such as was in effect under the Revenue Act of 1921 and subsequent acts down to 1934.

Under section 4 of my bill taxpayers who would normally be subject to a less rate than 12½ percent are allowed to continue paying a capital-gains tax under the present provisions.

The present difficulty over the capital-gains tax, however, is not due to its application to taxpayers in the lower surtax brackets.

It is only in the upper brackets that the surtax rates become confiscatory and remove the incentive for investment.

Following the World War, when capital gains were subject to the full surtax rates then prevailing, there was a freezing of capital transactions and a disinclination on the part of investors to put their funds into productive enterprise because of the confiscatory rates.

Congress, in the Revenue Act of 1921, remedied the situation by giving taxpayers the option of paying a flat tax of 12½ percent on their capital gains, as is now proposed in my bill.

This flat tax did much at that time to attract capital back into business and furnish jobs for the unemployed.

In my opinion, the adoption of a flat tax would actually operate to increase the revenue.

In other words, the proposed change, instead of losing money, would be productive in the long run of greatly increased revenue collections by the Government.

With confiscatory rates, the Government collects very little from capital gains, because few capital transactions are engaged in.

However, let me call attention to the fact that in the fairly normal year of 1926, under a 12½-percent capital-gains tax, the Government collected \$225,000,000 from capital gains, as against \$507,000,000 from other sources, in the case of individuals.

In 1928 the revenues from capital gains under the 12½-percent rate were \$576,000,000, as against \$588,000,000 from other sources of individual income.

In 1935, according to the Treasury's own figures, the estimated tax from capital gains was only \$85,000,000, compared with \$572,000,000 from other sources of individual income.

Note the contrast, keeping in mind that in 1935 we did not have the 12½-percent limitation.

If these figures do not make out an unanswerable case for the restoration of the 12½-percent limit, then nothing can.

It would be more productive of revenue and at the same time it would help business and employment.

I call attention to the fact that while the tax subcommittee proposes to set up an upper limit in taxing capital gains the limit will be much higher than my bill proposed, particularly on gains from assets held for a period of less than 5 years.

For example, the maximum rate will be 30.4 percent on assets held for 2 years, as against 12½ percent under my bill.

This will not do much to stimulate capital transactions.

In fact, the committee plan induces taxpayers to hold off making sales by offering a lower rate for each additional year up to 5 that the asset is held.

My bill stimulates transactions in capital assets held 1 year or more and does not offer any inducement for holding up sales and thereby freezing the capital market.

Due to the current business recession there will be little if any revenue from capital gains this year.

If the Treasury were perfectly frank, this would be conceded.

Hence, we can start with the premise that the proposed changes could not possibly cost 1 cent of revenue this year.

As to future years, I am confident, as I have already indicated, that the 12½-percent rate will result in a vastly increased revenue from capital gains by encouraging instead of stifling capital transactions.

The bill makes no change respecting capital net losses except to provide for a 2-year carry-over of any net loss in excess of the \$2,000 that may be deducted against ordinary income.

The provisions of the bill respecting gains from short sales, from the retirement of bonds, and from partial liquidation, make no change in existing law.

The proposed changes in the capital-gains tax would be retroactive to January 1 of this year.

Without violating the confidence of executive sessions of the tax subcommittee, I think I am entitled to say that on Wednesday I attempted to have the committee consider my bill but the chairman, supported by his Democratic colleagues, refused to entertain my motion.

I was told that it could be made later on when the committee again took up its own substitute plan.

The trouble with that is, Mr. Speaker, that later on will be too late to do any good.

We will have adjourned long before that time ever comes.

If we are going to do anything to help business and employment, it must be done now to accomplish any good.

The passage of my bill, H. R. 8629, would be the greatest most beneficial, and most appreciated Christmas gift that we could present to the country.

It is evident that we cannot get action by the Ways and Means Committee.

There is only one alternative, namely, a motion made from the floor for immediate consideration which, of course, would require unanimous consent.

I would be glad to aid in presenting the people with this Christmas gift by making such a motion, but I realize it would be futile.

The Democratic majority would not accept that program as much as many Members on the other side of the aisle would like to see it done.

All that the Republican minority can do, therefore, is to show the country our good faith by presenting a definite program of what we would do if we had the power.

The passage of H. R. 8629 would be a great boon to business and the people generally.

Let the Democratic majority swallow its pride, admit its mistake in placing wrong legislation upon the statute books, and join in repealing these laws now by agreeing to H. R. 8629. [Applause.]

The SPEAKER pro tempore (Mr. ZIMMERMAN). Under a previous special order of the House, the gentleman from Missouri [Mr. SHANNON] is recognized for 15 minutes.

Mr. SHANNON. Mr. Speaker, I do not think I need to make any apology for talking today upon a subject that is uppermost in the minds of the American people. In Asia and in Europe wars are raging in which thousands of civilians—men, women, and children—are being daily slaughtered. From the columns of the newspapers we read of the imminence of other wars among nations that stand today armed to the teeth, ready to fly at one another's throats, awaiting some spark that will precipitate a conflict.

I think it is time that we gave some serious thought to this question of war—to this "sport of kings," as it has been facetiously called. A commentator once referred to it as "legalized murder," but that is an old-fashioned description of the game as it is played in modern times.

INTERNATIONAL LAWS FLOUTED

Today we are having wars that do not wear the legal cloak. By a nice discrimination we call them undeclared wars—an invention of terms that enables nations to defy the humanitarian codes of international law and to engage in the business of wholesale slaughter and destruction without regard to the conventional codes of God or man. Only the other day an announcement came out of Tokio that a 50,000,000 yen issue of "Chinese incident" baby bonds had been sold, and that an additional issue would soon be offered.

No mention is made of the word "war" in raising funds to carry on mass murders in China. "The Chinese incident"—that is what Japan calls it.

What a terrible thought it is that after 10,000 years of alleged civilization, the slaughter of human beings—of terror-stricken civilians and helpless women and children—with deadly weapons, poison gases, and merciless bombs dropped from the air, is considered a mere "incident."

Then we read a description of war written by the son of one of Europe's modern militarists. Describing a war in which a peaceful country was invaded, its property appropriated, and its inhabitants shamelessly killed, he writes that it was "magnificent sport"; "the quintessence of beauty"; and great fun. And he refers to the innocent victims of the depredation as "shameful, white-faced jackals."

YOUTH OF WORLD TRAPPED

I remember when I was a very young man there was a sporting game among the gun clubs in which live pigeons were the targets. The pigeons—beautiful and home-loving birds—were shut up in traps, and as they were released the marksmen would fire at them on the wing and bring them down, and the man who had the most pigeons to his credit was awarded a trophy or a medal.

The poor pigeons never had a chance. But even in that sporting game there came a reaction within my memory. So many protests went up, particularly from the women of the country, at this inhuman use of helpless birds that the gunmen were finally induced to substitute clay pigeons for the live birds.

But in this big game of war there is no substitution. The youth of the world are enclosed in their traps, called trenches, and a single killer with a machine gun in a hidden point of vantage can mow them down like cattle in a pen. Or, if they are released from that trap, they are exposed to the dangers of spouting flames, deadly gases, hand grenades and shells that blow them into bits. Youth slaughtered by the millions for causes unknown to the slaughtered ones; that is the warfare of today.

ATTRITION UNTO EXTINCTION

I recollect reading one time an essay of Thomas Carlyle's in which he gave an illustration of war that struck me as a true and forcible one. Two kings fell out with each other over a boundary dispute. But they were both of an economical turn of mind and they did not care to go to much expense of money or manhood to settle the dispute. So one king said to the other, "Let us each choose a few hundred young men from our shops and professions; and you put yours in a uniform of red and I will put mine in a uniform of blue. Then you and I will sit upon a high hill and let them fight it out in the valley below. At the end of the day whichever side has the most men left will be the winner, and that will settle our dispute."

Was not that really what happened in the World War? That war was called a war of attrition, a long process of cutting down the other's manpower; a daily, nightly, weekly, monthly, yearly slaughter to see which side would have the most men left.

Was anything gained in that awful conflict? I have talked with men who served in the World War, and have read many historical versions of that war and revelations pertaining thereto, and I still do not know of anything that it saved. I know one thing it did not save; it did not save the lives of those American boys who were torn from their peaceful pursuits and from the bosoms of their loved ones to shoulder a gun and go away to die in foreign trenches and be buried in foreign graves. Something it did "save", if you can call it that, was the home-returning army of the maimed, the blind, the shell-shocked victims that are now passing their broken lives in the military hospitals of the country.

NATIONAL REFERENDUM ON WAR

The supreme logic of war today is to exterminate and destroy, to kill and kill until no one is left to be killed, and call it victory. The few hundreds of Carlyle's kings have become the millions and millions of the youth of all lands

who are being pitted against each other in this game of death, and the millions and millions more who are being trained throughout the world to become murderers of their fellowmen.

War is not of the genius of our institutions. It is not within the ambitions of the American people. The men and the women of this country hate war. I was taught by a mother who remembered the horrors of the War between the States in this country to hate war. I hate it for its uselessness, its inhumanities, its murderous hates, and the havoc that it leaves in its trail in the hearts and the homes of the people of our peace-loving land.

I want to tell you what I think we need in this country at the present time. We need meetings called in every town hall in the land where the people can assemble and let the war provokers in high places know what is the sentiment of millions of peaceful American fathers and mothers, sons and daughters. I want the voice of the people to go forth to their highest officials and their lowest in authority, that they will hold them responsible for every act that tends to involve us in the disputes of foreign nations.

The people of the United States should have the final say on the question of war, and I am sure that a referendum today on that question would have but one result—it would be overwhelmingly against war or any policy that might lead to war.

MOCKERY OF NOBLEST WORK OF GOD

What a precious host of love and life, of beauty and gentleness, is given up to the slaughter pens of war. The noblest, the most beautiful living things in this world are offered up for sacrifice. Whether you have sons of your own or not, if you are merely a human being with memories of your own youth, the thought must often come to you that the most glorious ideals of humanity are embodied in the youth of 18 to 25. As I grow older, I learn more and more to value youth, to share in my heart its hopes and ambitions, to love its fineness and nobilities, and to consider the young human being the noblest work of God, the perfection of creation.

Shakespeare, who, I believe, knew more about human nature than any man who ever lived, drew a picture in his Hamlet of the human being in all his wonderful faculties.

What a piece of work is man—

He wrote—

How noble in reason, how infinite in faculty, in form and moving how express and admirable, in action how like an angel, in apprehension how like a god—the beauty of the world, the paragon of animals.

And yet this paragon of animals this wonderful creation of angelic mind and admirable body, is the target we put up in the game of war to be shot at, to be exterminated, to be mangled and torn and killed to decide some dispute in the cabinets of statesmen about boundary lines, about territories, about trade balances, about oil wells or iron mines, about tungsten deposits, about what is called expansion and imperialism, when not given the name of progress and civilization.

WAR OF LIBERTY OR DOLLARS?

Make no mistake. Wars may be given more high-sounding names. They may be masked under the names of freedom and liberty and national pride and honor. But the wars of today are wars of plunder and profit, struggles for power and domination, and the ideals behind them are no higher than the dollar and the bond.

If you believe this is an overstatement, read the cable news in your papers from day to day. You will read, for instance, that Great Britain made only mild protests to Japan when some of her nationals were killed by Japanese bombs, but when Japan announced that she would take over the administration of the Shanghai customs, you heard what a howl went up. Great Britain immediately served notice on Japan that she would have something quite definite to say about that—the customhouse dollars. And she said, moreover, that the United States and France would back her up. The big outstanding truth is that the nations of the world

are quicker on the trigger where dollars are concerned than where the youth of the land are concerned.

I am getting rather weary of hearing other nations say that the United States will stand by them. We want to stand with nobody; with no nation that is playing the game of war or fooling with its fires. We have announced our neutral policy; let us stand on it. Let us remain, as we were designed from the start, a nation whose ideals are liberty, peace, and no entangling alliances; the guardian of the spirit of freedom, democracy, and humane government on this side of the Atlantic. [Applause.]

The SPEAKER pro tempore. Under a previous special order of the House the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 15 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, no activity in human affairs is so complex as modern government. No activity in human affairs demands and requires such scientific knowledge and experience as modern government. No service known in the activities of the human race requires such loyalty, selflessness, and devotion to ideals as modern scientific government.

Presidents come and Presidents go. Cabinets come and Cabinets go. Members of the Congress pass in a continuous and never-ending procession of individuals who for a little time appear and have their part in government, only to go back to their places in the ranks of the people. But government goes on—must go on—continuously, day and night, month in and month out, year in and year out. That government, and I mean by that the actual structure of government, is composed of those civil employees in the multifarious departments, bureaus, and agencies who carry on the myriad activities authorized by the people through their Congress and which are directed to a greater or lesser degree by the Chief Executive and his immediate assistants and advisers. The real work, the vital work of government, however, lies in the activities of those legions of civil servants who remain through the years though administrations change.

It is because of the complexity of modern civilization and modern government that our civil service is of such transcendent importance. Every student of civil government concedes without argument that not only is an incorruptible, efficient, and nonpolitical civil service a vital and indispensable necessity to good government but that the greater the extent of that civil service in government the more widely that civil service embraces the employees of the government, the more scientific, sound, capable, and economical administration of government we shall have.

For nearly 5 years past we have witnessed a strange paradox. We have heard a constant flow of noble sentiments, high-flown phrases, ardent promises—all expressed in the cause, ostensibly, of a devotion to a constantly progressive and constantly improved civil service in the Government of the United States. But in that period, most unhappily, we have witnessed a continuous and unremitting succession of acts diametrically opposed to the promises which have been made. There has been promises—positive promises—glowing promises—but no performance. There have been words, reassuring words, heartening words, encouraging words, but no works.

Chief among those who have given lip service to an incorruptible, efficient, and nonpolitical civil service has been Franklin Delano Roosevelt. As long ago as 1920 he said:

I think that everybody who has studied the question is in favor of the civil service. (Speech, Harvard Union, Cambridge, Mass., 1920, while Assistant Secretary of the Navy.)

Again Mr. Roosevelt said in 1920:

I do not believe, of course, that the civil-service system should be wiped out, or that we should return to the "spoils" system, but there is altogether too much assumption in this Government that executive officers will use their authority for political purposes. My own wonder is that, considering the existing circumstances, the employees of the Government are as efficient as they actually are. (Letter to Representative Clifford Ireland, June 20, 1920.)

Again, in 1933, Mr. Roosevelt declared in positive terms:

The merit system in civil service is in no danger at my hands; but on the contrary, I hope it will be extended and improved during my term as President. (Letter to Civil Service Reform League, August 1933.)

We find Mr. Roosevelt in 1935 laying down the dictum that—

The conditions of public work must be improved and protected. Mere party membership and loyalty can no longer be the exclusive test. (Address, Milwaukee, Wis., August 24, 1935.)

Quoting again Mr. Roosevelt's promises, we find him saying:

The Seventy-third Congress, as a part of its efforts to meet the emergency with which the Nation was confronted, exempted from the civil-service requirements positions in the newly created emergency agencies. The Seventy-fourth Congress made some additional exemptions.

The merit system has been and will continue to be extended during my administration.

The Civil Service Commission advises me that progress is being made in replenishing its registers and I hope that within the near future the civil-service law and rules may be applied to agencies that are now excepted from civil-service requirements, at least to the extent that it is determined that such agencies are to become established branches of the Government. (Letter to H. E. Kaplan, secretary, National Civil Service Reform League, September 17, 1935.)

Hear this ringing declaration from Mr. Roosevelt's lips:

It matters not what political party is in power by the elective will of the people, the Government functions for all, and there can be no question of greater moment or broader effect than the maintenance, strengthening, and extension of the merit system, established in the competitive principles of the Civil Service Act, whose fifty-third birthday is being celebrated this month.

I am glad to assure your great organization of my support in this effort. (Letter read in radio broadcast sponsored by League of Women Voters, January 29, 1936.)

In the cloistered precincts of his own study, Mr. Roosevelt, with calm deliberation, wrote these words in his book *On Our Way*:

Ever since I knew Grover Cleveland when I was a boy, I have been a deep believer in the principles of civil service.

Building on it as a foundation I believe that it will be possible for this country to work out a system of public service that will be at least as honest and efficient as the British civil service, and that will have more initiative and adaptability. (On *Our Way*, book by F. D. Roosevelt, pp. 246 and 247.)

Such are the glowing promises, such the ardent lip service of Mr. Roosevelt to the high ideal of an incorruptible, efficient, and nonpolitical civil service to carry on the Government while administrations change, while Presidents and Cabinets and Congresses come and go.

Now let us see about performance. The acknowledged dispenser of patronage, the acknowledged and nationally recognized political adviser and manager of Franklin Delano Roosevelt, is a genial gentleman of great personal charm who holds the dual position of Postmaster General of the United States and the chairmanship of the Democratic National Committee. You will already have suspected that I am referring to the famous James Aloysius Farley. It is not denied by President Roosevelt nor by any New Dealer that Mr. Farley's views on government, on patronage, and on civil service not only have tremendous influence but that thus far his acts in this connection have been unrebuked and unchanged by President Roosevelt.

Mr. Farley has expressed himself on occasion with regard to the whole premise and philosophy of a nonpolitical, incorruptible, and efficient civil service. On one such occasion he wrote in a letter:

I don't agree with your method of selecting men, which you indicate is done by a board of engineers. My attitude, Bob, would be to appoint no one but a Democrat to these laboring positions. (Mr. Farley, chairman, New York State Democratic Committee, 1931, in a letter to Robert Moses, chairman, Long Island State Park Commission.)

On another occasion Mr. Farley said:

We know that for every job we can find a Democrat of superior qualifications. (Jefferson Day banquet speech, Minneapolis, May 8, 1933.)

On a certain occasion Mr. Farley took his pen in hand and wrote rather frankly his view of government and his unconcealed devotion to the political spoils system. Having settled himself comfortably in the quiet precincts of his study, Mr. Farley wrote in an article for a magazine:

The Democrats have the right . . . to supplant one-fifth, or 150,000, of the Federal officeholders. . . . The final decision on all these questions naturally rests with the President himself. I am simply his helper.

The patronage is a reward to those who have worked for party victory. It is also an assistance in building party machinery for the next election.

. . . I am a trustee of something that does not belong to me. The patronage belongs to the Democratic Party. (Passing Out the Patronage, article by Farley, American Magazine, July 1933.)

Contrast this view with that of James Madison, who held that the wanton removal of a meritorious officer was an impeachable offense. (See Encyclopedia Britannica, vol. 5, p. 747.)

What a vast abyss, inconceivably wide and deep, exists between the philosophy expressed by Franklin Delano Roosevelt and that expressed by James Aloysius Farley.

What a vast and deep difference between the vain and unfruitful promises of Franklin Delano Roosevelt and the unswerving performance of James Aloysius Farley.

Let us see if the foregoing is a fair statement. I wish to insert at this point in my remarks a table taken from the annual report of the Civil Service Commission, Form 2909, of March 1933. It is entitled "Employees of the Executive Branch, 1884-1933 (Exclusive of Military)." It shows by years, from June 30, 1884, to March 3, 1933, inclusive, the total number employed, the number of civil-service positions, and the percent of those in civil service to that total.

Employees of the executive branch, 1884-1933
[Exclusive of military]

	Total number employed	Number in civil-service positions	Percent of civil service to total
June 30, 1884	131,208	13,780	10.5
June 30, 1894	180,000	45,821	25.5
June 30, 1904	301,000	154,093	51.2
June 30, 1913	443,605	282,597	63.7
June 30, 1916	438,057	296,926	67.8
Nov. 11, 1918	917,760	642,432	70.0
June 30, 1923	515,772	411,398	79.8
June 30, 1924	521,641	415,593	79.7
June 30, 1925	532,798	423,538	79.5
June 30, 1926	528,542	422,300	79.9
June 30, 1927	527,228	422,998	80.2
June 30, 1928	540,867	431,763	79.8
June 30, 1929	559,579	445,957	79.7
June 30, 1930	580,494	462,083	79.6
June 30, 1931	588,206	468,050	79.6
June 30, 1932	583,196	467,161	80.1
Mar. 3, 1933	563,487	467,272	82.9

This table shows that from June 30, 1884, to March 3, 1933, the percent of Government employees in the civil service rose from 10.5 percent to 82.9 percent.

At this point I want to insert in these remarks another table entitled "Employees of the Executive Branch, 1933-37 (Exclusive of Military)" showing by years from March 3, 1933, to June 30, 1937, the total number employed in Government, the number in civil-service positions, and the percent of civil-service personnel to the total employees for each of those years:

Employees of the executive branch, 1933-37
[Exclusive of military]

Date	Total number employed	Number in civil-service positions	Percent of civil service to total
Mar. 3, 1933	563,487	467,272	82.9
June 30, 1933	572,091	456,096	79.7
June 30, 1934	673,095	450,622	66.9
June 30, 1935	719,440	455,264	63.3
June 30, 1936	824,259	498,725	61.0
June 30, 1937	841,664	532,073	63.2
Increase, 1933-37	278,177	64,801	23.3
Increase, 1933 to 1937 (percent)	49.4	13.9	

This table is taken from the annual report of the Civil Service Commission. It shows that under Mr. Roosevelt's administration, and under the spoils philosophy of Mr. Farley, the percentage of civil-service employees in Government dropped from 82.9 percent to 63.2 percent. This table further shows that the increase in Federal employees within that period, 1933-37, was 278,177, of whom only 64,801 were placed under civil-service regulations, the percentage of the total new employees so placed being only 23.2 percent.

Thus it is that we have the undeniable and unbiased record of performance as against the glowing promises and the ardent lip service to the ideal of an incorruptible, efficient, and nonpolitical civil service in government.

As I said a while ago, Mr. Speaker, the importance of the civil service in our Government is too fundamental for it to be made a question of partisan dispute or a subject of acrimonious political debate.

I do not for a moment doubt that the Members of this House on the other side of the aisle believe just as implicitly in the fundamental importance of an incorruptible, efficient, and nonpolitical civil service as do any of us on this side of the aisle. This is not a question, Mr. Speaker, which involves any of us as Democrats or Republicans in a dispute. I conceive it to be a problem which involves a strictly Rooseveltian-Farley-New Deal policy as counterposed to the desires and to the policy of the Members of this House on both sides of the aisle. Let me now say, therefore, that my remarks are not directed as criticism toward any group or any individuals in this Congress but they are directed as criticism toward Mr. Roosevelt and Mr. Farley and the other administrators of the New Deal who have brought about this steady and alarming decrease and disintegration of our civil service during the past 5 years.

While it is true that I have the honor to be the ranking member of the Civil Service Committee, I address myself to this question not as a political matter at all. I concede it to be a proposition of such fundamental importance to the people of this Nation that it must be kept on a plane of consideration and action very far above any question of political advantage or the building up of any political machine, or the perpetuation of any political bureaucracy whatsoever. Indeed, so fundamentally fair is the merit system, that I, as do some other Members of the House, always insist on competitive examinations to determine any appointments to West Point or to Annapolis. Under such a system, the poor, obscure boy has an equal chance with all others. Merit ability is the essence of the civil service, and no other basis is possible if it is to be a civil service in anything but name. Let me trace briefly, if I may, the history of civil service under our Government.

During the first 40 years, following the adoption of the Constitution, the Federal public service was held in high esteem, although there was no formal civil service.

The spoils system as we now know it, that spoils system whose chief proponent and executor is James Aloysius Farley, had its origin in the administration of Andrew Jackson. Singularly enough, Martin Van Buren, President Jackson's Secretary of State, brought with him into the Federal Government the political spoils system that had existed in New York. It is to be remarked that our genial Mr. Farley hails from New York. Van Buren's slogan and his guiding motive in his political activities was "to the victor belongs the spoils." Again it is to be remarked that Mr. Farley has voiced and has put into execution identically that perverted philosophy of government.

Jackson and Van Buren fastened the spoils system on the country, and it grew without serious interruption during the next 50 years.

Following the Civil War, Senator Charles Sumner (Republican), of Massachusetts; Representatives Thomas A. Jenckes (Republican), of Rhode Island, and Carl Schurz (Republican), of Missouri, were among the first supporters of the movement to reform the public service. This movement finally resulted in the provision in the appropriations act of 1871 providing for competitive examinations for all

persons entering the public service. (Now sec. 1753, Revised Statutes.)

This law was passed, as it so happened, by a Republican Congress and was signed by a Republican President. Congress failed in 1874 to appropriate the funds necessary to carry out the act of 1871. Nevertheless the movement was slowly gaining ground until finally President Hayes sent Dorman B. Eaton to England to study the British civil service. Eaton made a detailed report on the British civil service which proved of great value in drafting the Civil Service Act which was finally adopted by the Congress of 1883.

The Republicans were not alone in their advocacy of a civil service. In 1880 Senator Pendleton (Democrat), of Ohio, introduced in the Senate a civil-service reform bill, which passed the Senate December 27, 1882, and the House in January 1883.

The Civil Service Act of 1883 (act of January 16, 1883, 22 Stat. 403) is a clear, concise, and comprehensive civil-service law. Under this statute when earnestly and properly applied, it is possible to develop a career service based on the highest principles of public administration. The act sets forth in broad outline the general principles governing the employment and promotion of public servants. The details are to be filled in by the President with the assistance of the Civil Service Commission. The actual administrative work is performed by a bipartisan Civil Service Commission. During the 50 years following the enactment of this measure, an increasingly large proportion of Government employees went under civil service. The Republican Party when in power actively enforced and extended the law, and Theodore Roosevelt, as chairman of the Civil Service Commission from 1889 to 1895, was particularly active in conducting investigations to make certain that various establishments were obeying the law.

The Civil Service Retirement Act was passed in 1920 and the Classification Act was passed in 1923. Both of these acts were important measures for the improvement of the civil-service system. The continuous growth and expansion of civil service from its beginning to the end of the Hoover administration is shown by the table to which I referred earlier in my remarks, that is, from June 30, 1884, to March 3, 1933.

A study of the figures given in this table make clear two facts: First, a steady increase in the number of employees; second, a continuously increasing proportion of the total personnel placed under civil service.

One excuse has more often been used by the present administration than any other to meet criticism of its course in permitting a retrogression in the civil-service system, and that is that so much of the New Deal Government is an "emergency set-up." It is significant to note in examining the history of the rise of the civil service that even during the great emergency of the World War the emergency civil employees were as far as possible appointed under the merit system. At the time of the armistice, November 11, 1918, out of the 917,760 civilian employees, 70 percent of them were under civil service.

With the demobilization of the World War organizations the proportion of civil-service workers increased to around 80 percent and remained at that figure until March 1933, although there was a gradual increase in number from 1923 to 1931. With the onslaught of the depression the forces were reduced. But again it is a significant fact that under President Hoover these reductions were made from the non-civil-service group, with the result that on March 3, 1933, of the total number of employees in the executive branch, 82.9 percent were under civil service.

I have tried to show, Mr. Speaker, in my discussion, that from 1883 to 1933 both the Republican and the Democratic administrations conscientiously fostered the civil-service system.

Although it is worthy of remark that the Democratic platform of 1932 made no reference to the civil service, I have

already quoted Mr. Roosevelt himself at length to show that the Nation had every right to expect that under his administration the civil service would continue to expand and to be perfected into an incorruptible, efficient, and nonpolitical civilian force whose highest ideal would be the service of their country, and whose highest security would be the knowledge that conscientious and efficient service would be the only requirements necessary to keep them in the service of their country.

Notwithstanding these repeated promises and reiterated expressions of devotion to the cause of a broadened and perfected civil service in the United States, the record shows that the promises were not fulfilled by performance. Mr. Roosevelt, Mr. Farley, none of the administrators of the New Deal, can with justice and with truth lay claim to having fostered the civil service during their tenure of office. The table which I introduced a while ago covering the civil-service figures for the period from March 3, 1933 to June 30, 1937, tells a story totally at variance with the promises that were made by Mr. Roosevelt and others. This record, disclosing as it does, that the percentage of those in the civil service has gone from 82.9 percent when Mr. Roosevelt took office steadily down to 63.2 percent as of last June 30, refutes any claim of effort on the part of the New Deal administration to extend the civil service "upward, outward, and downward," and shows beyond possibility of denial that the civil service has been thrust backward instead.

A study of these Federal employment figures from March 3, 1933, to June 30, 1937, discloses an enormous increase in the number of Federal employees and the very small increase in the number under civil service.

Evidence as to the ill fortune the civil service was to suffer under the Roosevelt administration came very early after the new dealers rose to power. From March 4 to June 30 in 1933 President Roosevelt took advantage of the economy acts to reduce the civil-service personnel by 11,176. In the same period of less than 3 months Mr. Roosevelt used the emergency acts to increase the non-civil-service group by 19,780 individuals.

Mr. Speaker, how can any apologist of the New Deal pretend that the President or Mr. Farley or others in the executive department have been friendly to the civil service in the face of these figures? Think of it! In the 4½ years, from March 3, 1933, to June 30, 1937, the executive branch pay roll was increased by 278,177 persons, of whom only 64,801—23.3 percent—were appointed under the merit system.

To really grasp the significance of this backward trend of the civil service under the New Deal, we must ponder for a moment these facts:

The number of Federal employees on June 30, 1904, was 301,000. Nearly 29 years later, on March 3, 1933, the number had increased to 563,487—an additional number of 262,487. From March 3, 1933, to June 30, 1937, Mr. Roosevelt had increased the Federal personnel by 278,177. Therefore, in slightly more than 4 years, under President Roosevelt, the number of Federal employees has been increased by 14,690 persons more than it was increased in the previous 29-year period, 313,179 persons were added to the civil-service system—while in the 4 years under Mr. Roosevelt only 64,801 persons were added to the civil service. Do these figures bear out Mr. Roosevelt's repeated protestations of his intentions to extend the merit system "upward, outward, and downward"? Rather the sad and sinister trend of the civil service under the New Deal compels the conclusion that what actually is happening is not extension "upward, outward, and downward," but rather a blowing up, wiping out, and tearing down.

As I have stated, the New Deal administration claims justification for this enormous retrogression in the trend of the civil service by the pretense of an emergency that did not afford time for the machinery of civil service to function. Such a pretense is an empty and shallow excuse. It has no validity. It was disproved before it was ever made by another Democratic President—Woodrow Wilson. Consider

for a moment the figures covering President Wilson's administration. These figures are also taken from the civil-service records. They show that during the period from June 30, 1916, to November 11, 1918, the numerical increase of Federal employees was 479,703, of which number 345,506, or 72 percent—were put under civil service. These figures demonstrate more forcibly than can any words the utter lack of justification for President Roosevelt's "emergency argument." Since that is true, what is the secret behind these appointments which have been made without regard to the civil-service laws and regulations? The answer is to be found in another table of figures which I shall insert at this point in my remarks.

Date	Number of non-civil-service employees	Annual increase (+) or decrease (-)
Mar. 3, 1933	96,215	
June 30, 1933	115,995	+19,780
June 30, 1934	222,473	+106,478
June 30, 1935	264,176	+41,703
June 30, 1936	325,534	+61,358
June 30, 1937	309,591	-15,943
Net increase from 1933 to 1937		213,376

The increase of Federal employees during the fiscal year 1934 over the fiscal year 1933 was 106,478. There were congressional elections in November 1934.

The increase of the Federal Government personnel during the fiscal year 1935 over the fiscal year of 1934 was only 41,703. There were no elections that year.

The increase during the fiscal year 1936 over the fiscal year 1935 was 61,358. There was a Presidential election in November 1936.

The decrease—and note that word, "decrease"—in the number of Federal employees during the fiscal year 1937 under the fiscal year of 1936 was 15,943. There was no election in that year.

Congress during the last session passed, and President Roosevelt approved, several bills which provided that all of the employees of certain agencies should be appointed "without regard to civil-service laws and regulations."

A case exactly in point showing the attitude of the New Deal toward civil service is to be found in the action of the Senate Post Office Committee last Tuesday, November 30, in turning back the civil-service advocates by a vote of 6 to 3 and refusing to place postmasters in the first, second, and third classes under civil-service regulations.

The McKellar bill, which continues fourth-class postmasters under the merit system, does not extend "upward, outward, and downward" the civil service because the fourth-class postmasters are already under the merit system.

The McKellar bill would put first-, second-, and third-grade postmasters on a 4-year term. This simply means to continue postmasterships as a political football instead of placing the United States Mail Service entirely under the civil-service system, where it belongs, and under which it could reach a much higher efficiency than is possible under the present political spoils system.

No fair-minded person can escape the conviction, in the light of these figures and this record, that while Mr. Roosevelt has been giving lip service to a bigger and better civil service, Mr. Farley has been achieving a bigger and better political bureaucracy based upon the spoils system, and has been building up his Nation-wide political machine at the expense of the most important single fundamental agency of modern scientific government—the civil service. Mr. Roosevelt has spoken the fair words of promise for the civil service. Mr. Farley has performed without rebuke or remonstrance from President Roosevelt the political acts of sabotage which have been steadily undermining the civil service, which for more than half a century Executives, Democratic and Republican alike, and Congresses, Democratic and Republican alike, have been earnestly striving to build up.

Senator ARTHUR VANDENBERG, of Michigan, well summarized the situation which has resulted from the application of the Farley philosophy when he said:

Never has a more completely patronage-conscious aggregation of victors to whom belong the spoils bedeviled Washington and its own leadership than in these post "horse and buggy" days. The employment problem which has most intimately and relentlessly troubled Democratic statesmen has been evidenced in their own outer offices, crowded with insistent applicants for their quick share of the Jacksonian dividends. Never before was Capitol mail so heavy. Railroads thrived and Washington hotels raced back to solvency. * * * Civil service is an irritating inconvenience in such a "bread and circus" hour. It is easy to understand what happened to it in this traffic jam. The political semaphore showed green 24 hours a day.

Despite every criticism, in the face of every protest, Mr. Roosevelt and Mr. Farley have proceeded with the undermining of the civil service.

The Republican platform of 1936 recognized this fact. In that platform it was said:

Under the New Deal, official authority has been given to inexperienced and incompetent persons. The civil service has been sacrificed to create a national political machine. As a result the Federal Government has never presented such a picture of confusion and inefficiency.

We pledge ourselves to the merit system, virtually destroyed by New Deal spoliemen. It should be restored, improved, and extended.

We will provide such conditions as offer an attractive permanent career in Government service to young men and women of ability, irrespective of party affiliations.

Time and again in this House and on this floor, Members have raised their voices, as I now raise mine, in protest and in warning against this sabotage of the civil-service system under the New Deal.

The distinguished gentleman from Kentucky [Mr. ROBSON] registered a protest on last January 28, when he said:

No administration since the days of Andrew Jackson has done so much to break down the merit system and civil service and resurrect the spoils system as the present administration.

The distinguished gentleman from Tennessee [Mr. TAYLOR] has warned this House of this sinister condition of affairs.

One great defect of our whole civil-service system is the failure of the Congress to appropriate sufficient funds for the Civil Service Commission. This lack of funds has made it difficult for the Commission to perform the additional work imposed upon it by the unusual conditions of the New Deal. On August 18 last, on the floor of this House, and at other times, I myself insisted that if we would give the Civil Service Commission an adequate amount of money the situation would be improved.

The most serious undermining of the civil service during the New Deal has come about as a consequence of the new agencies, hastily created, under the guise of an emergency, or as a part of a program of centralization. It has made little difference whether these agencies are to be temporary or permanent, whether they are independent or a part of the regular governmental Departments, that have all been characterized by one common attribute; the acts authorizing their creation provided that the personnel should be selected without regard to the civil-service laws and regulations.

The most recent of the many instances of the fallacy and falsity of this argument of emergency set-ups being the reason for excluding Federal employees from the requirements of the Civil Service Act is found in the agricultural bill which this House has been considering in the present week. Section 407 of the present agricultural bill, which is a permanent measure, is so worded as to make the selection of personnel by the Agricultural Department subject to the provisions of law applicable to the appointment and compensation of personnel employed by the Agricultural Adjustment Administration. You will recall that those provisions in the old A. A. A. were that the personnel should be selected without regard to civil-service requirements and without regard to the Classification Act.

It is startling when we pause to consider that the Civil Service Commission, as of June 30, 1937, lists 21 independent

agencies, created since March 1933, with over 75,000 employees, none of whom has any civil-service status whatever.

I might go on and detail here, had I the time, the names of these different agencies and the number of their employees. Suffice it to say that the National Civil Service Reform League, in its proceedings during its fifty-third annual meeting in 1935, declared that:

At no time since the enactment of the Federal civil-service law has the merit system faced such a critical test as now.

We may well ponder how much longer can our Government be administered effectively with its civil service recruited half on merit and half on patronage.

During the Roosevelt administration about 60 new agencies have been created, all but a half dozen of which have been permitted to select their staffs without reference either to the civil-service law or the salary classification regulating compensation in the old Departments. In some of these new bureaus political recommendations have been prerequisite to employment; personal favoritism has given the entree to others. (Proceedings, Fifty-third Annual Meeting National Civil Service Reform League, 1935, p. 5.)

Again at its fifty-fourth annual meeting in the following year, the league declared:

At no time since the adoption of the original civil-service law has there been so much public agitation for the application and extension of the merit system as today.

The league, during its fifty-fourth annual meeting, went on to say further:

The Congress, however, has utterly failed to recognize this demonstration as a mandate from the public. No constructive personnel legislation that has been before it has received more than cursory attention. Even measures which have received committee approval have been buried on the calendar, from which they can be taken only by unanimous consent, which has been studiously withheld. . . .

Although the President has often assured the league of his devotion to the merit system, such assurances have not been fortified by insistence that the constructive measures affecting the civil service be immediately enacted. Nor has he taken public notice of Cabinet defiance to its principles.

We fear also that the failure of the President to take Executive action against demonstrated instances of partisan mismanagement of important branches of the service, or assessments of public employees for campaign contributions, must lend inevitably to the belief that he acquiesces in the actions of the Postmaster General and other members of the administration similarly bent toward the patronage system. (Proceedings Fifty-fourth Annual Meeting National Civil Service Reform League, 1936, p. 14.)

During the first session of the Seventy-fifth Congress three new agencies were created for the purposes of controlling and directing economic and social forces; they were the National Bituminous Coal Commission, the Farm Security Administration, and the United States Housing Authority. All three of these agencies are permanent establishments and are very largely exempt from the operation of the civil-service law.

With reference to the Bituminous Coal Commission, Senator WALLACE WHITE, Jr., of Maine, protested that—

This is another instance where we are permitting the employment of an unlimited number of persons by the organization created by the bill without any reference whatever to the civil-service laws of the United States. I think that at some time, if we are to have any civil service left, there should be a halt called in this tendency. I am utterly unable to see why employees of a statistical bureau should not be appointed as a result of civil-service examination and should not be appointed because of merit.

Since that date the scandal in the Bituminous Coal Commission regarding the personnel and other matters has become a subject of comment throughout the press of this country day after day.

On June 28 of this year my distinguished colleague [Mr. MARTIN] protested the omission of the civil-service requirements from the act providing for the Farm Security Administration in the Department of Agriculture.

If the new agency to be created—

Said he—

Is to be as expensive as the Resettlement Bureau, there is not going to be very much left for the tenant farmer. The bulk will go for political jobs, as I note the civil-service requirement is carefully omitted.

I could go on and on, Mr. Speaker, quoting Member after Member of this House whose voice has been raised against

this steady undermining and destruction of the civil service of the United States. To do so would simply be to repeat over and over again the protests and warnings in both Houses of this Congress of the dangers which threaten the civil service and the demands that Mr. Roosevelt stop these tendencies.

Mr. Speaker, there is now pending before the Congress a measure sponsored by President Roosevelt which, if approved by the national legislative body, will be the greatest single step toward the ultimate and absolute destruction of the civil service that has been taken since the merit system was first introduced into our American Government. That measure is contained in the President's Government reorganization bill. The President and his advisers in that bill recommend the abolition of the Civil Service Commission. The report of the President's committee criticizes the Civil Service Commission, brands it as unsuited to the work of a central personnel agency, asserts that the commission form of organization is "slow, cumbersome, wasteful, and ineffective in the conduct of administrative duty." This special committee also charges that "board members are customarily laymen and not professionally trained or experienced in the activities for which they are responsible."

It must be said, Mr. Speaker, in reply to these criticisms, that a Civil Service Commission composed even of laymen not "professionally trained or experienced in the activities for which they are responsible" is infinitely preferable to having no civil service or a civil service administered by political spoilsmen "professionally trained and experienced in the activities for which they are responsible"—which means to say, the placing of faithful henchmen in responsible and important positions in the Government where those henchmen operate purely from the standpoint of the spoils system of "getting theirs while the getting is good," and from the standpoint that governmental administration is political pie to be passed out to party workers as rewards for faithful service instead of being regarded as vital activities affecting the welfare and the very destiny of this Nation and its people.

I say to you, Mr. Speaker, that it is well-nigh incredible in the light of the emphatic and repeated promises of Mr. Roosevelt to support and defend and extend the merit system in Government that he should lend his approval to any such proposal as this.

Under the Government reorganization plan, in the place of the Civil Service Commission the latest draft of the administration's reorganization bill provides that there shall be created a single civil-service administrator, to be appointed by the President, by and with the advice and consent of the Senate, but with this highly dangerous provision—that this administrator would be removable by the President at will.

This administrator, under the terms of the bill, would serve for a period of 15 years, and he would have general control of the public service.

Think, Mr. Speaker, what an enormous and impossible task such a single administrator would have on his hands in attempting to execute the work that is now carried on by the board of three who compose the Civil Service Commission.

H. Eliot Kaplan, executive secretary of the National Civil Service Reform League, in testifying before the Senate Select Committee on Government Organization, said:

. . . I do not believe it is possible for a single administrator to give all his energy and time to both administering the technical work of the Civil Service Administration as a department and still be able to carry on all the other functions dealing with determination of policies, and so on. The job of administering, being the executive head, is going to take all his time and energy.

Since under the terms of the pending bill this civil-service administrator would be removable by the President at will, the whole of the so-called nonpolitical civil service would be under the domination and control of the President. Who believes, Mr. Speaker, that under any such arrangement the civil-service administrator would dare do anything displeasing to the President, since by so doing he would court dismissal at the hands of the Chief Executive?

Who doubts for a moment, Mr. Speaker, what the situation would be under such an arrangement as this with the genial

James Aloysius Farley in charge of patronage and whispering in the President's ear the philosophy that "the patronage is a reward to those who have worked for party victory. It is also an assistance in building party machinery for the next election."

It is contended that President Roosevelt wants to extend the merit system "upward, outward, and downward." Certainly the provisions contained in Senate bill 2700, which was introduced by Senator Robinson, of Arkansas, just previous to his death, would not have this effect upon the civil service. The fact is, Mr. Speaker, the provision which is supposed to extend the civil service actually would operate to prevent the President from extending the civil service to any position which could not at the present time be brought within the merit system.

Discussing this provision before the Senate Select Committee on Government Organization, Secretary Kaplan, of the National Civil Service Reform League, testified before the committee as follows:

Under the provisions of section 204 of the bill there can be little, if any, extension of the competitive system, for the following exceptions from competition are specifically made:

1. All positions in temporary emergency agencies * * *
2. All positions in Federal corporations which by present law are excepted from the operations of the Civil Service Act * * *
3. All positions not already subject to the Civil Service Act * * *
4. All appointments now required to be made by the President with confirmation by the Senate * * *

* * * A new element or basis for exception is invoked in the guise of positions bearing "confidential relationship" to the department head. Experience has shown that this is a dangerous pretext for exemption from competition * * *

The measure places in the discretion of the President authorization to determine what positions should be exempted from the classified service as policy determining. There is, however, no limitation on this authority. (Hearings before Senate Select Committee on Government Organization, p. 144.)

There is no conclusion to be drawn from this proposed measure except that Mr. Roosevelt desires to extend his personal power and control over the merit system of government, and this proposed act would accomplish exactly this result. A civil-service administrator removable at will by the President would be merely a tool and a mouthpiece to do the President's will. It is absurd on the face of it to pretend that such a civil-service administrator is to be appointed for a period of 15 years and at the same time that he is to be removable at will by the Chief Executive. It would be far simpler, and certainly much more honest, to write into the bill the provision that this proposed civil-service administrator should hold office subject to the pleasure of the Chief Executive.

I submit that I have adduced an indisputable mass of evidence to prove that not only has Mr. Roosevelt not performed according to his promises concerning the merit system in government but that his patronage purveyor, Mr. Farley, has injected and extended his spoils system into every department of the Government. It is a conclusion which I dare say will not be argued by any fair-minded individual that any condition which would be set up under this proposal to abolish the Civil Service Commission and put the Service under the direction and control of a Presidential "Charlie McCarthy," would result in turning the civil service over to the tender mercies of James Aloysius Farley, and in giving that gentleman almost unlimited power to prostitute the merit system into patronage for the purpose of building party machinery for the next election.

Mr. Speaker, we want none of this sort of thing. We do not want to see the most fundamental and vital part of our Government, which has been laboriously built up over a period of more than half a century, through the efforts of Republican and Democratic statesmen alike, prostituted into a spoils system which would endanger the future of this Nation and its people. [Applause.]

Mr. SHANNON. Mr. Speaker, I asked and was given the unanimous consent of the House to have my speech incorporated in the Appendix of the RECORD. I ask that unanimous consent be given to withdraw the request.

The SPEAKER pro tempore. Is there objection?
There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. KLEBERG, indefinitely, on account of business.

PERMISSION TO ADDRESS THE HOUSE

Mr. MASSINGALE. Mr. Speaker, I ask unanimous consent that on Thursday next, immediately after the disposition of matters on the Speaker's table and at the conclusion of the legislative program in order for the day, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. EICHER. Mr. Speaker, I ask unanimous consent that on Thursday next, following the disposition of matters on the Speaker's table and at the conclusion of the legislative business in order for the day and special orders heretofore made, I may be permitted to address the House for 30 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EXTENSION OF REMARKS

Mr. SCHNEIDER of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADJOURNMENT

Mr. BOLAND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 21 minutes p. m.), under its previous order, the House adjourned until Monday, December 13, 1937, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Merchant Marine and Fisheries Committee will hold a public hearing on H. R. 8532, to amend the Merchant Marine Act, 1936, to further promote the merchant marine policy therein declared, and for other purposes, in room 219, House Office Building, on Tuesday, December 14, 1937, at 10 a. m.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization in room 445, House Office Building, at 10:30 a. m., on Wednesday, December 15, 1937, for hearing on H. R. 8549, for public consideration of bill to deny United States citizenship to persons advocating government by dictatorship.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. CROSSER's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Thursday, December 16, 1937. Business to be considered: Hearing on House Joint Resolution 389, distribution and sale of motor vehicles.

There will be a meeting of Mr. MALONEY's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m., Thursday, December 16, 1937. Business to be considered: Hearing on S. 1261, through-routes bill.

There will be a meeting of Mr. MARTIN's subcommittee of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, January 4, 1938. Business to be considered: Hearing on sales-tax bills, H. R. 4722 and H. R. 4214.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, January 11, 1938. Business to be considered: Hearing on S. 69, train-lengths bill.

COMMITTEE ON THE JUDICIARY

The Special Bankruptcy Subcommittee of the Committee on the Judiciary will hold a public hearing on the Frazier-Lemke bill, S. 2215, to amend section 75 of the Bankruptcy Act, in the Judiciary Committee room at 346, House Office Building, on Friday, December 17, 1937, at 10 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

883. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act of May 4, 1898 (30 Stat. 369), so as to authorize the President to appoint 100 acting assistant surgeons for temporary service; to the Committee on Naval Affairs.

884. A letter from the Secretary of the Navy, transmitting the draft of a proposed bill to provide for civilian naval training, and for other purposes; to the Committee on Naval Affairs.

885. A letter from the Chairman, United States Maritime Commission, transmitting a report in compliance with the provisions of section 213 (a) of the Merchant Marine Act of 1936 (H. Doc. No. 454); to the Committee on Merchant Marine and Fisheries and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Pennsylvania: A bill (H. R. 8673) for the relief of certain persons at certain projects of the Farm Security Administration, United States Department of Agriculture; to the Committee on Claims.

By Mr. DUNN: A bill (H. R. 8674) to provide an increase in salary for all guards and other employees in the prisons in the District of Columbia whose salaries are less than \$2,000 per annum; to the Committee on the District of Columbia.

Also, a bill (H. R. 8675) to adjust the salaries of all members of the custodial guard force and all members of the special police custodial force in the Federal Government in the District of Columbia, and for other purposes; to the Committee on the Civil Service.

By Mr. O'CONNOR of Montana: A bill (H. R. 8676) to authorize the appointment of an additional judge for the district court of the United States for the district of Montana; to the Committee on the Judiciary.

By Mr. RANDOLPH: Resolution (H. Res. 376) authorizing the United States Tariff Commission to investigate the cost of production of leather products and glassware between the United States and foreign countries; to the Committee on Ways and Means.

By Mr. MAVERICK: Resolution (H. Res. 377) to amend the rules of the House to extend the privilege of debate to the heads of executive Departments in certain cases; to the Committee on Rules.

Also, resolution (H. Res. 378) to amend the rules of the House to provide for a question hour, at which heads of executive Departments are requested to appear and answer questions; to the Committee on Rules.

Also, resolution (H. Res. 379) to amend section 4 of rule XXVII of the House; to the Committee on Rules.

By Mr. FLETCHER: Resolution (H. Res. 380) to ascertain the cost of farm machinery and other necessary supplies to farmers, and for other purposes; to the Committee on Rules.

Also, resolution (H. Res. 381) providing for the expenses of the select committee authorized by House Resolution 380; to the Committee on Accounts.

By Mr. KENNEDY of Maryland: Joint resolution (H. J. Res. 535) to create a Federal Highway Safety Authority, composed of representatives of the Federal Government to be designated by the President and representatives of national organizations to be designated in the same manner; to the Committee on Interstate and Foreign Commerce.

By Mr. BIERMANN: Joint resolution (H. J. Res. 536) to amend the joint resolution entitled "Joint resolution to

amend the joint resolution entitled 'Joint resolution providing for the prohibition of the export of arms, ammunition, and implements of war to belligerent countries; the prohibition of the transportation of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states; for the registration and licensing of persons engaged in the business of manufacturing, exporting, or importing arms, ammunition, or implements of war; and restricting travel by American citizens on belligerent ships during war,' approved August 31, 1935, as amended," approved May 1, 1937; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ASHBROOK: A bill (H. R. 8677) for the relief of Charles T. Buell; to the Committee on Claims.

By Mr. CELLER: A bill (H. R. 8678) for the relief of Albert St. Clair; to the Committee on Immigration and Naturalization.

By Mr. FLANNAGAN: A bill (H. R. 8679) granting a pension to Alma C. Hallead; to the Committee on Pensions.

By Mr. MARTIN of Massachusetts: A bill (H. R. 8680) for the relief of Carl H. Carlson; to the Committee on Claims.

By Mr. McLEAN: A bill (H. R. 8681) for the relief of Russell H. Lindsay; to the Committee on Naval Affairs.

By Mr. O'TOOLE: A bill (H. R. 8682) authorizing the President of the United States to present, in the name of Congress, medals of honor to John Forsythe and Otto Kaika; to the Committee on Naval Affairs.

By Mr. PALMISANO: A bill (H. R. 8683) for the relief of Gus Vakas; to the Committee on Claims.

By Mr. SHEPPARD: A bill (H. R. 8684) granting a pension to Kenneth L. Nay; to the Committee on Pensions.

Also, a bill (H. R. 8685) granting a pension to Chudleigh Andrews Clifford; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3573. By Mr. RICH: Petition of citizens of Williamsport, Pa., favoring the Black-Connery wage and hour bill; to the Committee on Labor.

3574. By Mr. ASHBROOK: Petition of the Ohio Pomona Grange of Coshocton County, protesting against Senate bill 69; to the Committee on Interstate and Foreign Commerce.

3575. By Mr. PFELFER: Telegram from the New York City League of Women Voters, Anna Lord Strauss, city president, concerning the child-labor provisions in the labor bill; to the Committee on Labor.

3576. Also, petition of Clarence S. Brown & Co., Inc., New York City, concerning repeal of the undistributed profits tax law; to the Committee on Ways and Means.

3577. Also, petition of the Valve Pilot Corporation, New York City, concerning the undistributed-profits tax; to the Committee on Ways and Means.

3578. By the SPEAKER: Petition of Local 15, International Woodworkers of America, Escanaba, Mich., concerning effective embargo on all shipments of whatever nature to or from Japan; to the Committee on Ways and Means.

3579. Also, petition of the United Hatters, Cap, and Millinery Workers International Union, New York, concerning their resolution adopted by the board at its annual meeting held in Atlantic City, N. J., November 15 to 22; to the Committee on Labor.

3580. By Mr. MEAD: Petition of the Orleans County Pomona Grange of New York State, expressing opposition to the pending wage and hour bill; to the Committee on Labor.

3581. Also, petition of a number of Buffalo, N. Y., citizens favoring the Ludlow peace amendment; to the Committee on the Judiciary.

3582. By Mr. CITRON: Petition of the Workmen's Sick and Death Benefit Fund Association, of Bridgeport, Conn., calling

attention to the establishment of a Nazi camp for semimilitary training and asking for a congressional investigation; to the Committee on Immigration and Naturalization.

3583. By Mr. CARTER: Petition of the State Bar of California, memorializing the Congress to enact House bill 3155, providing for one public defender, and an assistant in each of the United States district courts; to the Committee on the Judiciary.

3584. Also, petition of the American Institute of Architects, urging the passage of legislation repealing the surtax on undistributed profits at once; to the Committee on Ways and Means.

3585. By Mr. ROMJUE: Petition of the American Legion Post, No. 285, Hamilton, Mo., calling upon Congress to take immediate steps to pass legislation declaring November 11 a national legal holiday; to the Committee on the Judiciary.

3586. By Mr. CARTER: Petition of the California Wool Growers' Association, opposing the diversion of social-security taxes, and urging such taxes be used only for the purpose for which they are intended; also urging amendments to the surtax on undivided profits; to the Committee on Ways and Means.

3587. By Mr. ANDREWS: Petition of the residents of Buffalo, N. Y., favoring enactment of House bill 4199; to the Committee on Ways and Means.

3588. By Mr. KRAMER: Resolution of the board of supervisors of Los Angeles County, pertaining to the Banking and Currency Committee reporting out the amendments to the National Housing Act, etc.; to the Committee on Banking and Currency.

3589. By Mr. ANDREWS: Petition of the residents of Buffalo, N. Y., protesting against the levying of any tax on food products; to the Committee on Ways and Means.

3590. By Mr. KRAMER: Resolution of the city council of Redding, Calif., pertaining to Central Valley project, etc.; to the Committee on Irrigation and Reclamation.

SENATE

SATURDAY, DECEMBER 11, 1937

(Legislative day of Tuesday, November 16, 1937)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, December 10, 1937, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The CHIEF CLERK called the roll, and the following Senators answered to their names:

Adams	Copeland	Johnson, Colo.	Pepper
Andrews	Davis	King	Pittman
Ashurst	Dieterich	La Follette	Pope
Austin	Donahay	Lee	Radcliffe
Bailey	Duffy	Lewis	Reynolds
Bankhead	Ellender	Lodge	Russell
Barkley	Frazier	Logan	Schwartz
Berry	George	Lonergan	Schwellenbach
Bilbo	Gerry	Lundeen	Sheppard
Bone	Gibson	McAdoo	Shipstead
Borah	Gillette	McCarran	Smith
Brown, Mich.	Glass	McGill	Stelwer
Brown, N. H.	Graves	McKellar	Thomas, Okla.
Bulkley	Green	McNary	Thomas, Utah
Bulow	Guffey	Maloney	Townsend
Burke	Hale	Miller	Truman
Byrd	Harrison	Minton	Tydings
Byrnes	Hatch	Moore	Vandenberg
Capper	Hayden	Murray	Van Nuys
Caraway	Herring	Neely	Wagner
Chavez	Hitchcock	Norris	Walsh
Clark	Holt	O'Mahoney	White
Connally	Johnson, Calif.	Overton	

Mr. MINTON. I announce that the Senator from Delaware [Mr. HUGHES] is detained from the Senate because of illness.

The Senator from New Jersey [Mr. SMATHERS] is detained because of illness in his family.

The Senator from Montana [Mr. WHEELER] is unavoidably detained.

Mr. AUSTIN. The Senator from New Hampshire [Mr. BRIDGES] is absent on official business.

The VICE PRESIDENT. Ninety-one Senators having answered to their names, a quorum is present.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate a resolution adopted by the Taxpayers' Protective League, of Newark, N. J., favoring the enactment of the bill (H. R. 1507) to assure to persons within the jurisdiction of every State the equal protection of the laws, and to punish the crime of lynching, which was ordered to lie on the table.

Mr. COPELAND presented resolutions adopted by a meeting of the Walton (N. Y.) Chamber of Commerce, protesting against the curtailing of Federal-aid highway appropriations to the States, which were referred to the Committee on Post Offices and Post Roads.

He also presented resolutions adopted by Cape Vincent Grange, No. 599, of Cape Vincent, and Lewis County Pomona Grange, both of the Patrons of Husbandry, in the State of New York, protesting against the enactment of the so-called Black-Connery wage and hour bill, which were ordered to lie on the table.

Mr. WALSH and Mr. LODGE presented a resolution adopted by the City Council of Revere, Mass., and approved by the mayor of that city, protesting against the influx of foreign-made shoes into the United States, which was referred to the Committee on Finance.

BUSINESS AND ECONOMIC CONDITIONS—PETITION

Mr. WALSH. Mr. President, I present a communication from leading industrialists and prominent businessmen of the city of Worcester, Mass., which I ask to be treated as a petition, printed in full in the CONGRESSIONAL RECORD, and referred to the Committee on Finance.

There being no objection, the petition was referred to the Committee on Finance and ordered to be printed in the RECORD, without the signatures, as follows:

A citizen's petition to the President and Congress.

SR: At meetings held in Worcester, Mass., on December 2, 1937, and succeeding days the undersigned representatives of manufacturing and mercantile establishments of Worcester, deeply concerned with regard to the effect of executive and legislative action of the Federal Government upon business conditions in this district and throughout the country, with the hope that their fellow citizens who may view the problems in the same way will take like action, have determined to advise the administration and every Member of the Congress that in their opinion it is imperative that there should be prompt action by those in authority to the following ends, namely:

First, that the undistributed profits tax should be immediately repealed and that laws designed to raise the necessary funds for the maintenance of the Government be carefully considered in the light of recent experience and the likely effect upon economic conditions and the state of the public mind and public confidence.

Second, that the Government policy toward public utilities be such as to encourage the immediate expenditure of the large sums of money required to rehabilitate and afford the requisite expansion of these important agencies of community welfare.

Third, that the Government stop its competition with private business which has discouraged private enterprise and investment which are the foundations of increased employment and economic welfare.

Fourth, that emergency expenditures be confined to essentials for relief, and reduction in governmental costs be effected to revive confidence, eliminate necessity of additional taxation, and move directly toward balancing the Federal Budget.

Fifth, that the effect of the existing capital gains tax upon business cycles should be carefully considered.

Sixth, that no Federal wage and hour legislation be adopted without solemn consideration of its effect upon present economic conditions and future opportunities for a resumption of the widest possible measure of profitable employment.

We sincerely hope that the accomplishment of this all-important program will suffer no unnecessary delays in view of the present country-wide recession in business and its consequences for all of our citizens. Our concern in these matters can be understood because the livelihood of well over 50,000 of our fellow citizens depends upon the welfare of the establishments which we represent.